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December 2, 2013; Volume I

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## P R O C E E D I N G S

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THE COURT: Good afternoon and welcome to the United States District Court for the Eastern District of North Carolina. We're here today for the sentencing of Christopher Williams.

Good afternoon, Mr. Beaver.

MR. BEAVER: Good afternoon, Your Honor.

THE COURT: Are you and Mr. Williams ready?

MR. BEAVER: We are, sir.

THE COURT: Ms. Cooley, is the Government ready?

MS. COOLEY: Yes, Your Honor.

THE COURT: At this time I'd ask that Mr. Williams be sworn or affirmed.

THE CLERK: Please place your left hand on the bible and raise your right hand and state your name for the record.

THE DEFENDANT: It's Christopher Williams.

THE COURT: Do you swear that the answers you will make to the Court are true to the best of your knowledge and understanding, so help you God?

THE DEFENDANT: Yes.

THE COURT: Mr. Williams, do you understand that, having been sworn, that your answers to my questions are subject to the penalty of perjury?

THE DEFENDANT: Yes, sir.

1           THE COURT: Have you taken any kind of medicine or  
2 any other substances in the last 48 hours that would affect  
3 your ability to hear and understand these proceedings?

4           THE DEFENDANT: No, Your Honor.

5           THE COURT: Do you know why you're here today?

6           THE DEFENDANT: Yes, Your Honor.

7           THE COURT: Mr. Beaver, do you have any reason to  
8 doubt Mr. Williams' competence to go forward today?

9           MR. BEAVER: No, Your Honor, I do not.

10          THE COURT: Does the Government have any reason to  
11 doubt Mr. Williams' competence to go forward today?

12          MS. COOLEY: No, Your Honor.

13          THE COURT: Based on Mr. Williams' answers to my  
14 questions, my observations of Mr. Williams and the answers from  
15 counsel, I do find that Mr. Williams is competent to go forward  
16 here today.

17          Mr. Williams, as you know, you're here today having  
18 entered a plea of guilty to two charges. Count 1 of the  
19 indictment to which you have pleaded guilty is sex trafficking  
20 of children. Count 2 is also sex trafficking of children. You  
21 entered a plea of guilty pursuant to a plea agreement in this  
22 case.

23          In light of some cases from the Supreme Court of the  
24 United States, including the *Booker*, *Rita*, *Gall*, *Kimbrough*,  
25 *Spears* and *Nelson* cases, the sentencing guidelines are no

1 longer mandatory, they're advisory. Nonetheless, in accordance  
2 with those cases and some cases from the Fourth Circuit  
3 interpreting those cases, including the *Carter, Pauley* and  
4 *Evans* cases, a sentencing Court still must take into account  
5 the now advisory guidelines. The Court does this by initially  
6 making findings of fact and calculating an advisory guideline  
7 range. The Court will then consider any motion that might be  
8 made that might move that range either up or down. The Court  
9 will then consider all arguments that your lawyer makes on your  
10 behalf, any statement you'd like to make, any victim allocution  
11 and the arguments of the Assistant United States Attorney on  
12 behalf of the United States. The Court will then determine  
13 your sentence and announce it here in Court today. That will  
14 be the process we'll follow.

15 Mr. Beaver, did you receive a copy of the presentence  
16 report?

17 MR. BEAVER: We did, Your Honor.

18 THE COURT: And, Mr. Williams, did you receive a copy  
19 of that report, sir?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: And did you speak with Mr. Beaver about  
22 that report?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: At this time the Court directs that the  
25 presentence report be placed in the record under seal in

1 accordance with the Federal Rules of Criminal Procedure. The  
2 Court accepts as accurate the presentence report except as to  
3 matters in dispute as set forth in the addendum. I have  
4 reviewed the addendum, it does contain an objection, which does  
5 not appear to impact the advisory guideline range.

6 Mr. Beaver, do you want to be heard on that  
7 objection?

8 MR. BEAVER: No, Your Honor.

9 THE COURT: All right. The Court will overrule it.  
10 I mean, it doesn't impact the advisory guideline range.

11 Is there any other objections from the defense?

12 MR. BEAVER: No, Your Honor.

13 THE COURT: Any objections from the United States?

14 MS. COOLEY: No, Your Honor.

15 THE COURT: All right. For purposes of Booker and  
16 its progeny then the Court calculates the total offense level  
17 as 42, the criminal history category is III, the advisory  
18 guideline range is 360 months to life. Does the Government  
19 object to that advisory guideline range?

20 MS. COOLEY: No, Your Honor.

21 THE COURT: Does the defense object to that advisory  
22 guideline range?

23 MR. BEAVER: No, Your Honor.

24 THE COURT: All right. There is no motion in this  
25 case, correct, Ms. Cooley --

1 MS. COOLEY: That's correct.

2 THE COURT: -- under 5K?

3 MS. COOLEY: That is correct, Your Honor. He did  
4 sign a cooperation plea agreement, and we're prepared to advise  
5 the Court of that. We have not recommended a 5K.

6 THE COURT: I have received and reviewed Mr. Beaver's  
7 sentencing memo. I'll now hear from Mr. Beaver in connection  
8 with that. I know you have a motion under 5H1.13, and you also  
9 talked about the 3553(a) factors. I'll hear from you all at  
10 once on those and then I'll hear from Mr. Williams, I'll then  
11 hear any victim allocution, I'll then hear from Ms. Cooley, and  
12 then I'll hear finally in response anything that Mr. Beaver  
13 wishes to say.

14 Mr. Beaver.

15 MR. BEAVER: Thank you, Your Honor. May he sit down?

16 THE WITNESS: Yes.

17 This is a difficult case, it's one of those cases  
18 that you read a presentence report, you read the discovery, you  
19 want to take a shower somewhere, it's just -- it's a bad case,  
20 Your Honor. We know that it's a bad case.

21 In trying to provide the Court with as much  
22 information as we could to try and give the Court as clear a  
23 picture of this defendant, his background, his upbringing, and  
24 some of the information that was not contained in the report  
25 which did appear in some of the discovery on the case regarding

1 particularly the older of the two victims was the matter of the  
2 relationship that she had with the defendant over a five or six  
3 month period of time. I provided Your Honor with some letters  
4 along with my motion.

5 THE COURT: I received all the letters you submitted.  
6 I've reviewed them.

7 MR. BEAVER: Yes, sir. And I also submitted letters  
8 from various members of his family.

9 THE COURT: I have reviewed those as well.

10 MR. BEAVER: I want to point out to the Court that he  
11 does have a strong family background in this matter. Today  
12 there are numerous people here to show their support of him,  
13 including his mother Shirley Williams, his brother John  
14 Williams, his other brother Michael Williams. Michael wrote  
15 one of the letters that Your Honor received that was attached  
16 to the motion. His aunt, Idell Van-Tol, who is a former client  
17 of mine from many years ago that I knew as Idell Gilbert, who  
18 has been a Government contractor for over 30 years out in  
19 Fort Bragg, is well known within that community. Also there  
20 are many other people, including relatives Rosanne Carter,  
21 Mrs. Oliver from his church, his Pastor Bowman and his wife,  
22 several other people, cousins, Tracey Brian Gilbert, Cedric  
23 Carter, other people.

24 Can I ask all of the folks who are here to show their  
25 support for Christopher to please stand.

1           Your Honor, these are people who are representative  
2 of his community who have known him his entire life.

3           Thank you, folks. You can sit down.

4           They have come forward and they have presented  
5 themselves to show you that he does have a support system in  
6 the community that's willing to help him and willing to come  
7 forward.

8           The one thing that I raised in this matter as a  
9 matter for the Court to consider for departure or a variance  
10 was prior instances of sexual abuse of Mr. Williams at the hand  
11 of two babysitters. They are identified and they are named in  
12 the pleadings. We were able to find the photograph of one of  
13 the individuals who is on a sex offender list at this time, we  
14 provided the Court. Mrs. Williams, his mother, has written to  
15 you, quite eloquently, I believe, concerning what she  
16 experienced at that time. This was 30 years ago, Your Honor.  
17 This was when he was 40 years old -- I mean, I'm sorry, four  
18 years old, when he was approximately four years of age.

19           She indicated that she reported this to the police,  
20 that she gave the names of the perpetrators at that time, that  
21 the police gave one of the perpetrators a polygraph exam, that  
22 he had passed the exam, and when faced with the unpleasantness  
23 of her two sons having to testify, made the decision that it  
24 was not in their best interest at that time, worth going  
25 forward, and the matter was dropped at that time. Your Honor,

1 she is present if necessary to testify to those facts. I  
2 reserve the right to call her if I need to on that.

3 Also her son Michael, who was also being babysat at  
4 the same time, is present. Also her son -- his brother, her  
5 son, John is present, who has some limited knowledge of those  
6 instances.

7 Your Honor, we are not by any means trying to say  
8 that there is an absolute cause and effect between prior sexual  
9 abuse as a child and sexual abuse as an adult, but I would be  
10 remiss if I did not tell the Court that it has been my  
11 experience in the many years that I have practiced law  
12 involving sexual deviancy and sexual misbehavior to often find  
13 that there is a root cause of it that goes back into often  
14 instances of childhood abuse, childhood violence.

15 I read a study this morning that indicated in 2007  
16 there was a study done in England that indicated as much as 30,  
17 40 percent of the adult sexual offenders had been abused as  
18 children. Michael himself in his letter to Your Honor quite  
19 painfully, I believe, recites his history, his sexual history,  
20 how this has affected him, how he thinks, that it's affected  
21 his brother. Again, we don't -- we don't rely upon this as  
22 something to say this should be just glossed over, it should be  
23 ignored, it should not be paid any attention to, this crime,  
24 that it was simply caused by the fact that he was sexually  
25 abused as a child, but we do think that it is a factor that the

1 Court should consider in determining an appropriate sentence.

2 We also point out the fact that under the  
3 United States Code, assuming Your Honor gives him an  
4 opportunity at some point in time to have completed the  
5 sentence, there are procedures underway or that are available  
6 under the United States Code at this time for examination to be  
7 carried out, if he were to be found to be a sexually dangerous  
8 person at that time, which could result in indefinite detention  
9 of him far beyond any term of imprisonment that Your Honor  
10 should see fit to impose, and we think that that is an  
11 important consideration for the Court to understand that at the  
12 end of this sentence, whenever it might be, that if he is a  
13 sexually dangerous person, that there are procedures involved  
14 to deal with that at that time which can be done and which are  
15 frequently done, as this Court can probably attest to and I  
16 know Judge Britt can attest to.

17 We ask the Court to show this defendant such mercy as  
18 you can under the circumstances of this case, realizing and  
19 fully admitting that this is a very, very serious crime and  
20 deplorable behavior on this young man's part.

21 THE COURT: Thank you, Mr. Beaver.

22 At this time I'll hear from Mr. Williams, if you'd  
23 like to make a statement, sir.

24 THE DEFENDANT: Good afternoon, Judge Dever. I pray  
25 this letter finds you in the best of health and spirits. I

1 wanted to write this letter to let you know how remorseful I am  
2 and I wish this had never happened. The things that happened  
3 to those young ladies I wish to no one, not my sister, not my  
4 mother, not my cousin, not my daughter. If I could, I would  
5 like to personally apologize to them and let them know how  
6 sorry I am. I am sorry that this has ever happened, and any --  
7 and something like this, even close to this, would never happen  
8 again. I am just begging that you don't take away my life and  
9 a chance to make amends, make my community better and let the  
10 young gentlemen know how they are affecting people's lives  
11 around them, their lives and the lives of their family. I  
12 would also like the opportunity to make my mother, kids, family  
13 and friends proud one day and show the world that I'm more than  
14 what they say on TV and on the news.

15 I have found God, excuse me, and I'm excited to share  
16 how good he's been in my life. People with my type of charge  
17 have had a fall, but thanks to God I have been able to change a  
18 few lives by bringing them to God, and I was blessed to lead a  
19 bible study when I was in jail. I again implore you to know  
20 the facts of the case, the real me, and give me a chance in the  
21 world to make a better place through the teachings of Jesus  
22 Christ and not what the world and music is teaching and to make  
23 my family and friends proud one day.

24 Thank you again for listening, and I pray God touches  
25 your heart to see the truth. I'm forever remorseful, sorry,

1 and praying for a chance to show it.

2 THE COURT: Thank you, Mr. Williams.

3 At this time I'll hear from Mr. Cooley on behalf of  
4 the United States, including any victim allocution.

5 MS. COOLEY: Thank you, Your Honor.

6 With respect to the victim allocution, neither victim  
7 is here today. We have had lots of conversations, we have  
8 visited, we have talked with the therapists involved, and I  
9 think that everyone involved has come to the conclusion that  
10 the best vehicle for them to be heard would be to write  
11 statements that I will read to Your Honor. I had intended to  
12 do that later on during my presentation to the Court, but I  
13 could do that now if the Court would prefer.

14 THE COURT: You can do it at whatever point in your  
15 presentation you want to.

16 MS. COOLEY: Thank you, Your Honor.

17 Your Honor, at this time I am prepared to present  
18 evidence regarding the 3553(a) factors and how we would  
19 eventually ask the Court to sentence Mr. Williams, specifically  
20 with regard to the nature and circumstances of the offense, and  
21 we would like to call Detective Rosenberg to the stand at this  
22 time.

23 THE COURT: All right. You can come up and be sworn.

24 THE CLERK: Please place your left hand on the bible  
25 and raise your right hand and state your name for the record.

1 THE WITNESS: Jody Rosenberg.

2 - - - - -

3 **DETECTIVE JODY ROSENBERG**

4 being first duly sworn, was examined and testified as follows:

5 - - - - -

6 DIRECT EXAMINATION

7 BY MS. COOLEY:

8 Q Good afternoon, Detective Rosenberg.

9 A Good afternoon.

10 Q By whom are the employed?

11 A I'm employed by the Fayetteville Police Department,  
12 Fayetteville North Carolina.

13 Q And in what capacity?

14 A I'm a senior detective in the Youth Services Unit.

15 Q How long have you been in the Youth Services Unit?

16 A Since 2004.

17 Q And prior to that were you with the police?

18 A Yes, I've been on the Fayetteville Police Department since  
19 1998.

20 Q And as a Youth Services detective, what is your main  
21 focus?

22 A In our unit we're specialized in the investigation of  
23 serious domestic abuse, serious child abuse and domestic  
24 violence.

25 Q And are you lead detective in the case involving

1 Mr. Williams?

2 A Yes, I am.

3 Q How did you come to be involved?

4 A I was on call the day -- January 5th, 2012.

5 Q And what was significant about that day?

6 A I had a call from my sergeant, Sergeant Hart, that there  
7 was a young girl that had come down to the police department  
8 with her guardian, she had told the desk officer that she had  
9 been held against her will and she and her guardian wanted to  
10 make a police report.

11 Q And what did you do when you came into contact with that  
12 victim?

13 A I brought them up to our unit, which is, as I said, a  
14 specialized unit, and we deal with juveniles, so it's different  
15 than other parts of the police department.

16 Q And are you trained in forensically interviewing children?

17 A Yes, I am.

18 Q And with respect to this victim -- we'll refer to her as  
19 Victim Number 2, as she's listed in the indictment.

20 A Um-hum.

21 Q With respect to Victim Number 2, what kind of conversation  
22 did you have with her?

23 A I started out, as I'm trained, in the RATAC forensic  
24 interviewing technique. I talked to her -- first I talked to  
25 her guardian and got her background, excuse me, and then I went

1 ahead and brought her into our soft room and I started the  
2 interview process with her.

3 Q And what's a soft room?

4 A It's a -- it's a friendly environment for children. It's  
5 not a sterile interview room.

6 I started the interview, and I just built up a little  
7 rapport with her. She was very closed. She had her hood over  
8 her face. You could tell that she was very uncomfortable being  
9 there. She told me that, you know, her aunt wanted her to  
10 come. She referred to her as her sister, but really it was her  
11 cousin, her guardian, and as I started the process of  
12 interviewing her, I was able to go ahead and find out a little  
13 bit about her, that she was a student at a high school, she was  
14 14 years old, and that she had been a runaway.

15 She had been -- as the process of the interview went  
16 on, she told me that she had been held against her will, that  
17 she had met a friend on the website "Tagged" and they had  
18 arranged to meet in her home town of Raeford, which is outside  
19 of Fayetteville. Her friend, Victim Number 1, and the  
20 defendant, Mr. Williams, picked her up from a fast food  
21 restaurant and she thought everything was fine, she said that  
22 she thought that Mr. Williams was a relative and she didn't  
23 know anything different than that. He was driving the car.  
24 They were listening to music, everything seemed fine, and she  
25 thought she was just going for a visit with her friend, and

1 when they got to what she thought was her friend's apartment,  
2 they went in, and that's when things drastically changed

3 Q And what happened inside the house?

4 A Her phone was taken from her, in front of her, it was  
5 stomped on by Mr. Williams, and she was told that she wasn't  
6 going to be able to contact anybody now, that she was here and  
7 she was going to be working.

8 Q And did Victim 2 then go on to describe to you a period of  
9 time after she initially arrived at Mr. Williams' apartment?

10 A Yes.

11 Q And what period of time was that?

12 A I'm sorry, the period of time?

13 Q That she was with Mr. Williams.

14 A The victim, Victim 2, had been with Mr. Williams for quite  
15 some time, like approximately eight months.

16 Q Is that Victim 1 that had been with the defendant?

17 Victim 2 is the second victim to arrive at the house; is that  
18 correct?

19 A Yes. Yes.

20 Q And Victim 1 is the victim who had been with Mr. --

21 A Victim 1 had been -- I'm sorry. Correction. Victim 1 had  
22 been with Mr. Williams for approximately eight months.

23 Q And Victim 2, what did she describe happened to her once  
24 she was in Mr. Williams' custody?

25 A She said that she was made to have sex with him, she was

1 photographed by Mr. Williams in sexually provocative positions  
2 and she was told that these would be put on a website. She  
3 told me that it was a BackPage website and that the men would  
4 see their pictures on this website and that they would come to  
5 this apartment. She had cardboard that was in the photo  
6 showing, you know, the phone number to call and she also told  
7 me the price of the different services that she would perform.

8 Q And what were those services and at what prices?

9 A If you would let me -- allow me to look at my notes.

10 Q Would it help you to refresh your recollection?

11 A Yes.

12 Okay. The client said she remembered them being for  
13 15 minutes with her it would be \$50, for 30 minutes it would be  
14 \$70, and for an hour it would be \$100, and for eight hours or  
15 an all-nighter it would be \$400.

16 Q And with respect to that money, how did that money change  
17 hands? Did she tell you?

18 A The clients when they would go up into the room where she  
19 would perform the sexual acts with them were told to leave the  
20 money on the dresser there. At no time was she allowed to  
21 touch this money. Mr. Williams would come up and collect the  
22 money when they had left.

23 Q Now, this room that she performed the services in, was  
24 that located in Mr. Williams' apartment?

25 A Yes, it was.

1 Q And did she mention anything to you about why she  
2 continued to remain with Mr. Williams?

3 A Mr. Williams would threaten her and threaten the other  
4 victim, and she personally witnessed the other victim being  
5 physically abused by him, and she was afraid for her life.

6 Q Did she describe to you the interior of the defendant's  
7 home?

8 A Yes, she did.

9 Q And after you spoke with the victim, Victim 2, what if  
10 anything did you do at that point?

11 A After I got a good disclosure from her what had happened,  
12 I told her that of course we would be in contact with her and  
13 she would -- you know, told her guardian that we would be in  
14 contact and get her services. I went ahead and found the  
15 address to where she had said that she had been at. At that  
16 time I contacted another officer and I went out to that  
17 address.

18 Q Did Victim 2 mention to you at any time her motivation for  
19 coming forward with this information?

20 A Yes. She was really not as much concerned about herself,  
21 in fact she was really apprehensive about coming forward, but  
22 she was very concerned about the other victim, Victim 1, she  
23 had witnessed many times where she had been abused by  
24 Mr. Williams and she was really afraid for her. Her  
25 motivation -- and the whole time that she was talking to me,

1 she said, "You are going out there to find her, aren't you?"

2 And I told her, assured her that I would go out there and  
3 attempt to find her. She was very much afraid for her.

4 Q For Victim 1?

5 A Um-hum.

6 Q How did Victim 2 tell you that she escaped from  
7 Mr. Williams' custody?

8 A After being held by Mr. Williams, she started -- and  
9 having sex with numerous people, she started having some  
10 stomach cramps and some bleeding, and she had said something to  
11 the victim -- Victim Number 1 that maybe she thought she might  
12 be pregnant, and Mr. Williams had heard this and he actually  
13 put her out.

14 Q And when you went to -- after receiving all this  
15 information from Victim 2, when you went to the defendant's  
16 house, what if anything did you find there?

17 A When I first got to the residence, he would only talk to  
18 me through the screen door, but I was able to see that the  
19 couch and the carpet and the surroundings were exactly what the  
20 Victim Number 2 had described to me.

21 Q And what was the nature of that conversation with the  
22 defendant?

23 A I told him -- I identified myself and told him that I was  
24 there to -- that I had some information that had come forward  
25 and I asked him if he knew of Victim Number 2's name, and he

1 said he vaguely remembered it, after talking to him for a  
2 while, and he said that there was a bunch of girls, teenage  
3 girls, that used to hang around in the neighborhood in the  
4 apartment complex, but that he had never had her into his  
5 house. He identified -- he knew what her name was, but that  
6 she had never been in his house before.

7 I told him that the purpose of my visit was that I  
8 was very concerned because this victim had told me that there  
9 was another girl that was a runaway that had been in the  
10 residence with her, and at that time Mr. Williams said --  
11 denied having anything to do with Victim 1 or Victim 2. He  
12 told me that I was welcome to come in. It did take him quite a  
13 long time after I had the conversation with him through the --  
14 through the door, he closed it, he said that he had to tidy up  
15 his residence before I was to -- before he would let me come  
16 in, which was concerning to me. There was another -- as I said  
17 previously, an officer that was at the side of the residence  
18 just to make sure that nobody exited out the back door.

19 He eventually came to the door and he allowed me in.  
20 He told me that I was welcome to look anywhere in the  
21 residence. The first thing that I noticed, of course, was the  
22 couch that was described to me by Victim Number 2. The carpet  
23 was as she described. The rooms were as she described. The  
24 kitchen was downstairs, the bedrooms were upstairs. Everything  
25 totally corroborated what the victim had told me in this

1 interview.

2 Q Had the house been tidied?

3 A No, the house was very, very filthy, the carpet was very  
4 filthy, there was things scattered everywhere, magazines,  
5 ashtrays, movies. It was very dirty. The kitchen area was  
6 very dirty. There was dirty dishes in the sink, there was  
7 dirty things on top of the stove. Food had just been made,  
8 there were two plates of food that were right there on the  
9 counter that were warm, the oven was still warm, and I asked  
10 him -- you know, he told me that there was nobody in the  
11 residence, and I asked him, you know, this food has just been  
12 cooked, are you expecting guests, and he said that he was. I  
13 said, but your guest isn't here yet, when are they -- when are  
14 they going to be coming? And he said that, you know, they  
15 would be coming, and I just made the comment that that was kind  
16 of unusual because I would -- personally I would never go ahead  
17 and serve food and let it get cold before my guest arrived, and  
18 he thought that was -- that was kind of funny.

19 I heard noise coming from a room off the kitchen and  
20 I was immediately kind of unnerved by that and I asked him,  
21 you know, what that noise was, and he told me that he had his  
22 dog in there, and I asked him, you know, what kind of dog,  
23 you know, dogs are concerning sometimes and I wanted to know  
24 what kind of dog it was, and he told me it was an Akita, and I  
25 asked him what -- you know, was this a big dog or a little dog,

1 and he said, well, you know, he explained to me Akitas,  
2 you know, they're very expensive dogs, that he had paid \$1,000  
3 for this dog, and thinking back that was also what Victim  
4 Number 2 had said too, she described a dog, she described a  
5 little puppy, white and brown, and so --

6 Q Was it in fact a white and brown puppy?

7 A Yes, he opened the door and there was a little puppy in  
8 there, it was white and it was brown and it had been in this  
9 bathroom for quite some time, the smell that came out of that  
10 room was horrible, had feces, and that poor dog had been in  
11 there for a long time.

12 Q And with respect to your inspection of the rest of the  
13 house, were there women's items anywhere in the house?

14 A Yes. This was a -- the bedrooms were upstairs at the top  
15 of the stairs and in the front bedroom there was a bunch of  
16 women's lingerie items, a lot of underwear, a lot of women's  
17 clothing, and I asked him about that and he said that the  
18 clothing items belonged to his ex-wife. In the back bedroom  
19 there was an ironing board with a lot of condoms on it, there  
20 was a large bed and the bed -- the coverings were all in  
21 disarray. The bathroom had women's items in it, hairspray and  
22 things like that. I asked him again, you know, that I was  
23 really concerned about this -- about Victim Number 1, and he  
24 said that, you know, she wasn't there.

25 Q Now, at some point did you come to leave the residence

1 that afternoon?

2 A Yes. Before we left I noticed that there was a crawlspace  
3 up above as you went up the stairs in the landing, and I asked  
4 him, you know, did he have anything up there, and he said you  
5 are free to take a look, so Officer Rivera was with me, and I'm  
6 not very tall and he wasn't very tall but he was able to do a  
7 cursory search in this crawlspace, and we -- you know, we  
8 didn't see everything, everything was intact, the insulation  
9 was there, there was rafters, but there was nothing that we  
10 could see. When I was there, I did call out XXXXXX's name,  
11 several times through the time I was in the apartment I did  
12 call out "XXXXXX" several times, and I did get no response.

13 I thanked Mr. Williams and we went outside. At that  
14 time I told him that if he had seen her, you know, to please  
15 give me a call.

16 Officer Rivera was at that time aware that  
17 Mr. Williams had a warrant for his arrest, I did not know that  
18 he was checking on that, I did not know that Mr. Williams had  
19 any kind of paperwork on him. I was present when Mr. -- or  
20 Officer Rivera placed him into custody, did a pat-down and  
21 located some marijuana on his person, and he was --

22 Q So at that time was the defendant taken away from the  
23 residence?

24 A Yes, he was taken into custody and transported down to  
25 Cumberland County Detention Center.

1 Q Did he then pretty immediately bond out on those charges?

2 A Yes. Yes. He was released with an unsecured bond.

3 Q And after your visit to the defendant's house, how did  
4 that sit with you, that drove your further actions?

5 A Everything that Victim Number 2 had told me just --  
6 everything matched up, the food that was there, the puppy,  
7 you know, the items in the home, the length of time that it  
8 took, all of this weighed heavy on me. I thought about it  
9 constantly throughout the weekend. Just call it intuition, I  
10 just felt like I needed to go back out there, so that Tuesday  
11 morning I contacted another detective in my unit and we went  
12 out, back out to the residence.

13 Q And when you arrived back at the residence, what did you  
14 first see?

15 A I saw Ms. Shirley Williams out there, his brother John  
16 Williams, a moving van and Mr. Williams, the defendant. They  
17 were moving items out of his apartment. I walked up to him,  
18 and immediately he became loud and yelling at me, telling his  
19 mother that I was the -- I was the detective that had him  
20 arrested, that I was the detective that caused damage to his  
21 crawlspace, and immediately I thought that that was unusual  
22 because myself and Officer Rivera did not cause any damage,  
23 I mean, he's a very small man and I'm very short and it was  
24 just a cursory search, there was no damage when we left.

25 Mr. Williams went into the residence, I had a photo

1 of Victim Number 1 with me, and I just talked to Ms. Williams.  
2 She was a very nice lady. Mr. John Williams was there, and I  
3 just explained to them that I was here because I really was  
4 concerned for XXXXXX, I had -- I'm sorry, Victim Number 1. I  
5 was very concerned because with everything within my being, all  
6 my investigative skill, I really believed that she was there,  
7 so I showed a picture to Mrs. Williams and she looked at it and  
8 I just explained to her that this little girl had been gone for  
9 a long time and her mother was very concerned, and I know  
10 Mrs. Williams was very interested in hearing that, and she  
11 looked at the photo, and her son John came over and he said,  
12 well, isn't that the girl that's in there, and Mr. Williams was  
13 there and he said, no, no, no, that's just an overnight guest.

14 Q Mr. Williams the defendant said this?

15 A The defendant said, no, that's just an overnight guest,  
16 and Mr. Williams, John Williams, said, well, that sure looks  
17 like her, but she's a lot skinnier than what's in this photo.

18 Q Now, the photo you had, that was taken before --

19 A Yes.

20 Q -- Victim Number 1 went into Mr. Williams', the  
21 defendant's, custody?

22 A Yes. That was prior, when she was still living at home  
23 with her mother and her younger siblings, they had gone on a  
24 hike and she in this photo was very happy and things were fine.

25 Q Now, after you learned that Victim Number 1 might

1 potentially be inside, what happened at that point?

2 A Mr. -- the defendant, Mr. Williams, went into the home and  
3 his mother said, you know, Chris, Chris, that, you know, you  
4 need to bring her out, you need to bring her out of the house,  
5 and he closed the door, she went up to the door and she said,  
6 you need to go ahead and let her come out. He didn't come to  
7 the door. The door was locked.

8 Eventually he did come out and he said -- you know,  
9 he challenged me and he challenged everybody, saying "She's not  
10 in there," and "My guest has left, she's not in there."

11 Immediately we noticed that he had some debris on the top of  
12 his head, and he was -- the whole time he was very antsy,  
13 very -- his behavior was kind of unusual, and so he said,  
14 you know, you can go in, she's not in there, you can go in.

15 So we went into the residence and right away upon  
16 walking into the residence there was debris on the stairway, it  
17 looked like insulation. Of course all the furniture and all  
18 the surrounding -- the things, personal items had been removed  
19 from the residence, but the insulation as it was found to be  
20 was all the way up the stairway. So we went up the stairway  
21 and at this point Mr. John Williams was very concerned, because  
22 he saw the insulation in the defendant Chris Williams' hair,  
23 and he went up there and he went ahead and looked up into the  
24 crawlspace, and he came back down and he told Detective  
25 Chandler, who was with me, he pointed and said, "She's up

1 there."

2 We called, I called, I said "XXXXXX, you need to come  
3 down," or, I'm sorry, Victim Number 1, you need to come down  
4 from there, we're very concerned for you, and no response.

5 At that point I went ahead and I called -- or an  
6 officer called for the fire department to come and bring a  
7 ladder truck, because at this point I'm very concerned, the  
8 things that, you know, Mr. John Williams had said, that she's  
9 very -- you know, she's skinnier than what's in the photo, the  
10 fact that now she's up in that area that we previously looked  
11 at, I didn't know, you know, what she was going to be like. It  
12 was very, very, you know, exigent circumstances,

13 So the fire department was on their way. They  
14 arrived. At the same time a K-9 officer arrived, and I was  
15 talking to XXXXXX, there was no response, I didn't know how she  
16 was, and I asked her, please come down, you know, we're  
17 bringing a ladder, please come down, and the K-9 officer's dog  
18 had barked and at that point the ladder was put into place and  
19 she did emerge from the crawlspace.

20 The crawlspace also, I will add, was very much  
21 damaged, it was -- it was -- it had a lock on it, it was  
22 locked, the wood around the -- the framework around the opening  
23 to get into the rafters was all splintered, it was all damaged,  
24 that was not like that when I had been out there that Saturday  
25 night, and when she came down she was just -- she was

1 definitely not like the photo, she was way different than the  
2 photo that I had seen that her mother had provided to me

3 Q Now, did you direct that photographs were taken of the  
4 interior of the house after Victim 1 was retrieved from the  
5 attic?

6 A Yes, just of the crawlspace and just of the entrance into  
7 the residence.

8 MS. COOLEY: Your Honor, may I approach?

9 THE COURT: You may.

10 BY MS. COOLEY:

11 Q Detective Rose, I'm approaching with Government's Exhibit  
12 1, if you could take a look at that photograph and let me know  
13 if you recognize it.

14 A Yes, I do.

15 Q And what do you recognize it to be?

16 A That is the crawlspace in the defendant Christopher  
17 Williams' residence.

18 Q And is that in the same condition that you observed it on  
19 January 8th of 2013?

20 A No, it is not.

21 Q Okay. And how is it different?

22 A The framework is broken, the drywall is damaged, the door  
23 looks to be damaged. It's not at all --

24 Q And is that how you observed it on the day that Victim 1  
25 was rescued from the attic?

1 A Yes.

2 Q How it appears in this photograph?

3 A Yes, this is how I remember it. The insulation which was  
4 in other photos was, of course, all down on the -- down below.

5 MS. COOLEY: Your Honor, I move Government's 1 into  
6 the record at this time.

7 THE COURT: It will be received.

8 BY MS. COOLEY:

9 Q Now, after you retrieved Victim 1 out of the attic, did  
10 you take her down to the station into your soft room?

11 A She came down to the police department. She did have some  
12 paperwork on her that had been registered, so she was a  
13 runaway. At that time I didn't know the full extent of what  
14 had happened to her, so she was placed in an interview room.

15 Q And in the interview room, was that recorded?

16 A Yes.

17 Q And did you have a chance to talk to her in that room?

18 A I did.

19 Q And how many times or over what period would you say you  
20 spoke with Victim 1 about what had happened to her?

21 A It was a process of disclosure. It was a very long time.  
22 I can't tell you without looking at the videos exactly how  
23 long, but it was hours.

24 Q And I first want to ask you about any physical  
25 observations that you made of her that were different from when

1 she had been reported missing.

2 A Again, her weight. She was almost emaciated. She was  
3 very thin compared to the photo that I had seen of her that had  
4 been taken a year, a year and a half prior to her being  
5 discovered in that crawlspace. She had tattoos that were not  
6 there in the photo with her family.

7 Q And I want to come back to the discussion you had with  
8 Victim 1, but while we're talking about the tattoos, what did  
9 she tell you about why she received those tattoos?

10 A She told me that the defendant, Chris Williams, had told  
11 her that he needed to give her tattoos to make her look older  
12 than she appeared.

13 MS. COOLEY: Your Honor, may I approach again?

14 THE COURT: You may.

15 BY MS. COOLEY:

16 Q Detective Williams, I'm approaching with Government's 2  
17 through 5. If you could just flip through those and let me  
18 know if you recognize those.

19 A Yes. Exhibit 2, that is a tattoo that I observed on  
20 Victim Number 1's arm; that is -- in Exhibit Number 3, that's  
21 another tattoo that was on her arm, with her initial; on her  
22 chest on Exhibit Number 4; and then behind her ear.

23 Q And with respect to the tattoo in Exhibit Number 2 on her  
24 bicep, what does that depict?

25 A It looks like a flower.

1 Q And with respect to the tattoo in Exhibit 3 on her  
2 forearm?

3 A That is her initial.

4 Q And with respect to Exhibit 4, the tattoo on her clavicle?

5 A That looks like some tribal -- some Chinese writing.

6 Q And with respect to Exhibit 5 on her neck, or behind her  
7 ear rather?

8 A It looks like -- she told me that was musical notes.

9 MS. COOLEY: Your Honor, we'd ask that 2 through 5 be  
10 taken into the record.

11 THE COURT: They'll be received.

12 MS. COOLEY: Thank you.

13 BY MS. COOLEY:

14 Q Now, after she was photographed and you began your  
15 discussions with Victim 2 -- with Victim 1, excuse me, how did  
16 that go?

17 A In the beginning of the interview with her she was -- she  
18 didn't make a disclosure that anything had happened, everything  
19 was just, you know, fine, that Mr. Williams was a friend of  
20 hers and that nothing had happened to her. After talking to  
21 her and assuring her of her safety and the fact that Victim  
22 Number 2 had come forward, she -- her demeanor began to change.  
23 She started to cry and she was very overwhelmed that somebody  
24 would be concerned for her. I explained to her what Victim  
25 Number 2 had told me about her safety and that she didn't

1 really care about herself but that she really cared about  
2 Victim Number 1, and that seemed to get across to her that  
3 there were people that cared what had happened to her.

4 Q And at that point in time did you talk with her about what  
5 she had been through?

6 A Yes.

7 Q What did she tell you?

8 A She started to disclose that she had been with  
9 Mr. Williams since, you know, almost the time that she ran  
10 away, that they had been in one apartment and that they moved  
11 to another apartment. In these apartments she lived with him  
12 for a while and then he had told her that she needed to start  
13 making some money and that how she would make money would be  
14 through the BackPage, that they would -- that she would be  
15 advertised in sexually explicit positions and that she would  
16 have to perform sex with these clients, as she would call them,  
17 coming to the apartment.

18 She said that she had a name -- several names that he  
19 would advertise her as, and she told me the process of how this  
20 would happen.

21 She told me what Victim Number 2 told me about the  
22 money, about the money that would be exchanged, that she never  
23 got to have any of this money, that the men would come and she  
24 would have sex with them. She told me about the sex  
25 trafficking over and over again and that she was made to do

1 that and she had sex with Mr. Williams, with the defendant,  
2 Chris Williams, several, several times a week.

3 Q At some point in time did you allow her to see her mother?

4 A Yes. Her mother I called when we had transported her --  
5 transported her down to the police department, and I had been  
6 in contact with her mother before that, that's who had provided  
7 me the photo of her. Her mother had not seen her since she had  
8 ran away, and when they met each other, or when her mother went  
9 into the interview room, Victim Number 1 just broke down  
10 crying. At that point I went ahead and I left and let them  
11 have some time.

12 And let me back -- when I told Victim Number 1 that  
13 her mother was concerned for her too, that also started a  
14 process of the disclosure also and that she really wanted to  
15 see her mother, so when her mother did come to see her, they  
16 hugged and they kissed and they were reunited. She told her  
17 things in the interview room that I was able to observe and it  
18 was recorded, and she broke down crying and it was just -- it  
19 took me aback, it drove me to tears when I saw that, and I'm a  
20 seasoned detective and that really got to me as a mother, that  
21 she just broke down and had almost like a guttural -- a cry  
22 from inside herself to her mother, saying that Mr. Williams  
23 had -- the defendant, Chris Williams, had beat her, and that  
24 was really hard.

25 When I went back and I talked to her later, she did

1 tell me that that was the reason why she did not -- she heard  
2 me that first Saturday when I was there, that she was afraid  
3 that he would get out again and that's why she didn't tell me  
4 in the beginning of the interview what had happened to her,  
5 because he had got out on Saturday and he was back within  
6 hours.

7 Q And when you say he had gotten out, are you referring to  
8 the first time that you went to the house and he was arrested?

9 A Correct. That Saturday when she -- and she told me she  
10 was up in the crawlspace, up in the attic, and she heard me  
11 calling over and over again, and she didn't say anything  
12 because she told me that she was afraid that he -- well, he  
13 told her that she better not say anything or he would beat her,  
14 and so when she was found the second time, she wasn't real  
15 cooperative in the beginning because she thought that he would  
16 get out again, as he did on Saturday. When I assured her that  
17 she was safe and that wouldn't happen, that's when the  
18 disclosures started coming; and she was very much afraid. He  
19 had made threats to harm her, to harm her family. He knew  
20 where her mom worked and at one point they drove by there, and  
21 he made references to knowing where her mom worked.

22 Q With respect to when a victim is interviewed, is there  
23 also a medical exam that accompanies a child interview?

24 A Yes. When there is a disclosure of sexual abuse, sexual  
25 abuse to this magnitude, we needed to go ahead and get her

1 immediate care.

2 After she had immediate care at the hospital, I  
3 scheduled a child medical examination with Dr. Taylor Thomas,  
4 who is our child abuse forensic physician at the SRAHEC, South  
5 Regional AHEC, and she performed the sexual examination of  
6 Victim Number 1

7 Q And with respect to that, did you obtain a release for  
8 those medical records from Victim Number 1 and her mother?

9 A I did.

10 Q And what conditions was she found to be suffering from  
11 during that medical exam?

12 A Dr. Taylor Thomas had found that -- or she had had  
13 multiple sexual encounters. She found her to have  
14 post-traumatic stress disorder. She found her to have sexually  
15 transmitted disease. She had one that's highly transferable,  
16 it's called Trichomonas, and when the lab -- there's a lab at  
17 this medical facility, and when her specimen was brought to the  
18 lab, the lab's supervisor, Toni Horn, came directly to  
19 Dr. Thomas' office and it was very -- I mean, it was very  
20 emergency like when she came, she came very quickly, and,  
21 you know, people were scattering and Dr. Taylor had told me  
22 later that this was the worst case of Trichomonas that she had  
23 seen.

24 Q With respect to your investigation into the defendant's  
25 conduct, did you try to confirm whether or not he had the same

1 sexually transmitted disease?

2 A I did.

3 Q And what was that process?

4 A That the test was done as specified by the lab supervisor  
5 of how to obtain that specimen and that was done at the  
6 Cumberland County jail and it was brought to the lab and it  
7 tested positive for Trichomonas.

8 Q With respect to your further investigation, did you also  
9 obtain the rental contracts that the defendant signed at the  
10 apartment complex?

11 A I did.

12 MS. COOLEY: May I approach, Your Honor?

13 THE COURT: You may.

14 BY MS. COOLEY:

15 Q Detective Rosenberg, this is Government's Exhibit 6. If  
16 you could take a moment and look through that and let me know  
17 if you recognize that document.

18 A Yes. These are the rental agreements for both apartments  
19 that Victim Number 1 had told me that she lived in with the  
20 defendant.

21 Q And does it reflect the rent that the defendant paid in  
22 each of the two apartments --

23 A Yes, it does.

24 Q -- during the time he had Victim 1?

25 A Yes.

1 Q And what was that rent per month?

2 A On the one apartment that they rented it was \$575, and on  
3 the apartment where I located Victim Number 1 it was \$595.

4 Q And were you able to determine if the defendant had a job  
5 during the time that he was selling the victims online?

6 A No, I did not.

7 Q You weren't able to determine that he had a job?

8 A No, he did not. He was not employed. In my conversation  
9 with him he said that he worked at several restaurants in the  
10 Fayetteville area, but he was not employed.

11 Q Were you ever able to determine if the defendant had  
12 trafficked any other girls online?

13 A There was evidence and there was -- Victim Number 1 had  
14 said that there were other girls at the first apartment, but I  
15 was never able to locate them.

16 Q Were there other photographs of unidentified girls located  
17 on the defendant's phone?

18 A Yes.

19 Q Now, with regard to the defendant's phone, did you send  
20 that to Detective Smith for forensic examination?

21 A I did.

22 Q And that was a phone that was seized from him when he was  
23 arrested?

24 A Yes.

25 Q In preparation for the sentencing hearing were you asked

1 to look into information regarding Robert Wayne McLeod?

2 A I was.

3 Q And with respect to that information, were you able to  
4 find the case information for which he is currently on the  
5 sex offender registry?

6 A Yes, I did.

7 Q And in that case for which he is on the registry, is the  
8 defendant or any of his siblings -- are they mentioned as  
9 victims in those cases?

10 A No, they are not.

11 Q What is the age and sex of the victim in that case?

12 A The victim that the individual is on the registry for was  
13 a female and she was 21 years old.

14 Q And in your training and experience, are sex offenders  
15 typically preferential in their choice of victims?

16 A Yes, they are.

17 Q Meaning what?

18 A Meaning that sex offenders are preferential, most sex  
19 offenders. Now, it's not 100 percent, but most sex offenders  
20 are preferential in their victims, they tend to either like  
21 boys or girls, and they're age specific also.

22 Q And did you print that case information and provide it to  
23 me earlier this morning?

24 A I did.

25 MS. COOLEY: If I may approach with Government

1 Exhibit 16, Your Honor.

2 THE COURT: You may.

3 BY MS. COOLEY:

4 Q I'm approaching with Government Exhibit 16. For the  
5 record, is this the case information that you provided to the  
6 Government earlier this morning regarding Mr. McLeod?

7 A Yes, it is.

8 MS. COOLEY: Your Honor, we'd ask that Government 6  
9 and 16 be made part of the record at this time.

10 THE COURT: They'll be received.

11 MS. COOLEY: Thank you.

12 BY MS. COOLEY:

13 Q During your investigation into the defendant, you had  
14 several opportunities to speak with him, with his mother, with  
15 his brother John; is that fair to say?

16 A Yes.

17 Q And at any point during those interactions did any of them  
18 mention to you the fact of this defendant's prior sex abuse as  
19 a young boy?

20 A No, they did not.

21 MS. COOLEY: I have no further questions for  
22 Detective Rosenberg, Your Honor.

23 THE COURT: Thank you.

24 Cross-examination?

25 MR. BEAVER: Thank you.

CROSS-EXAMINATION

BY MR. BEAVER:

Q Detective Rosenberg, you had an opportunity to speak to Victim Number 2's guardian, did you not, Crystal Cooper?

A Yes.

Q On the day that -- same day that you spoke to Ms. Cooper -- I'm sorry, to Victim Number 2, I believe it was, was it not?

A Yes, sir.

Q And there had been several days since she had gone back home that -- and it wasn't until she got to school that she reported what had occurred to her, is that correct, several days after she had gone home, to Ms. Cooper's home?

A Are you talking about the victim herself or the guardian?

Q I'm talking about Victim Number 2. Had there been a period of time between the time that she had arrived home and the time that she reported the abuse at school? Was it several days later?

A It was several days later before they came to see me, but it wasn't for a lack of trying to report. Crystal Cooper had told me that she did contact the Hoke County Sheriff's Department and was told because of the address of where it occurred, that she would have to go ahead and report to the Fayetteville Police Department.

Q Well, do you recall Ms. Cooper telling you that Victim

1 Number 2 had a problem with the truth and that's the reason she  
2 didn't come to the police department before the date that she  
3 interviewed you?

4 A We had a long conversation, Ms. Cooper and I, and yes,  
5 Victim Number 2, as a lot of troubled teens, did have a little  
6 issue with telling the truth, but something -- this differed in  
7 what there had been previously.

8 Q So I take it the answer to my question is yes, she had  
9 said that Victim Number 2 had a problem with telling the truth  
10 and that's the reason she hadn't reported the abuse earlier?

11 A Not exactly, but --

12 MR. BEAVER: May I approach the witness, Your Honor?

13 THE COURT: You may.

14 BY MR. BEAVER:

15 Q I want to show you page 3 of a report of yours and ask you  
16 if you will review the second sentence of that report.

17 A That is why Ms. Cooper said she didn't come to the police  
18 department before this Saturday.

19 Q And why did she say she didn't come to the police  
20 department before this Saturday?

21 A She was tired of her behavior.

22 Q And?

23 A And she had a problem telling the truth.

24 Q And what she's talking about, she had a problem with  
25 telling the truth, who is Ms. Cooper referring to, Victim

1 Number 2?

2 A She is referring -- yes.

3 Q Okay. And those are your words that you wrote in your  
4 report?

5 A That's -- that's it.

6 Q Okay. Now, you spoke with Victim Number 1 also, did you  
7 not?

8 A I did.

9 Q Victim Number 1 ran away in March of 2012, did she not --

10 A Yes.

11 Q -- from a group home?

12 And she was in a group home on juvenile probation on  
13 a delinquency case, was she not?

14 A She was.

15 Q And she ran away from the group home in March; is that  
16 correct?

17 A I'd have to look, but the report --

18 Q Would you look and see if that's correct?

19 MR. BEAVER: Your Honor, may I approach the witness  
20 for a moment?

21 Q May I see those leases, please?

22 A You may.

23 You have the report from the sheriff's department, it  
24 was the Cumberland County Sheriff's Department, and that's when  
25 she ran away.

1 Q And when was that? When was she reported to have run  
2 away?

3 A You have that report with you.

4 Q I'm sorry, I do not. I'm sure I have it in my discovery  
5 somewhere here.

6 A Well, I know --

7 Q In either event, there was a number of months between the  
8 date she ran away from the group home and when she met the  
9 defendant; is that correct?

10 A It was a matter, I believe, of days when she met the  
11 defendant.

12 Q Let me ask you just to refresh your recollection if she  
13 did not run away from the group home in March of 2012 --

14 A The date I'm not sure of she did run from the group home.  
15 She was in the Cumberland County group home.

16 Q And she reported meeting the defendant sometime in about  
17 the middle of May of 20 --

18 A That is correct.

19 Q -- 12?

20 So approximately two months go by that her  
21 whereabouts were completely unknown.

22 A That is correct.

23 Q Did you make inquiry as to what she was doing during that  
24 period of time?

25 A Yes, I did.

1 Q And what did you find out that she -- what did she tell  
2 you she had been doing during that period of time?

3 A She was living with other people, and that's eventually  
4 how she came to know the defendant, Mr. Williams. She met a  
5 girl at a strip club that Mr. Williams frequented and knew and  
6 that's how she came to know Mr. Williams.

7 Q Okay. She identified that person to you that she was  
8 staying with as Miranda; is that correct?

9 A Yes, that's correct.

10 Q She indicated to you at that time that Miranda was working  
11 as a prostitute, did she not?

12 A No, she did not say prostitute.

13 MR. BEAVER: May I have just a moment, Your Honor?

14 THE COURT: You may.

15 BY MR. BEAVER:

16 Q The first of these leases is dated July, with a lease  
17 beginning on July the 13th of 2012; is that correct?

18 A Well, there's two here, there's -- July 13th.

19 Q And the second one was October?

20 A Yes.

21 Q Okay. You are familiar with the physical examination, the  
22 medical examination that Victim Number 2 received in January of  
23 2013 at Southeastern Regional AHEC in Fayetteville?

24 A I'm referring to that.

25 Q I'll draw your attention to page 2 of 6 of that report, if

1 you have it. I'm sorry, Victim Number 1. Excuse me.

2 A Is it Victim Number 1 or Victim Number 2?

3 Q Victim Number 1.

4 A Yes, I am.

5 Q Okay. On page 2 in that report she indicated to the  
6 people examining her at that time that in May of 2012 she had  
7 been introduced to Mr. Williams and began to live with him and  
8 soon afterward considered him to be her boyfriend; is that  
9 correct?

10 A Yes.

11 Q And she states that she was sexually active with  
12 Mr. Williams, having sex with him frequently; is that correct?

13 A Yes.

14 Q All right. And then about a month after living with him,  
15 he said she started -- needed to make some money to help pay  
16 for the rent and living expenses, and he had taken pictures of  
17 her and made her start prostituting.

18 A Yes.

19 Q In the course of your investigation, did you determine  
20 that Victims Number 1 and Number 2 had a pre-existing  
21 relationship prior to Victim Number 1 meeting Mr. Williams?

22 A Could you restate that?

23 Q Yes. At any time during the course of your investigation  
24 did you determine that Victims Number 1 and Number 2 had an  
25 existing -- had a relationship between the two of them that had

1 existed prior to Victim Number 1's meeting Mr. Williams?

2 A They met -- Mr. Williams, the defendant, had known that  
3 XXXXXX, Victim Number 1, had been in contact with her on Tagged  
4 and he encouraged that he -- or that Victim Number 1 contact  
5 Victim Number 2.

6 Q Did you have occasion during your investigation to read  
7 the account of the -- I believe it's the school nurse,  
8 Stephanie Lowery, of her interview with the victim in this --  
9 Victim Number 1 in this matter? I'm sorry, Victim Number 2.

10 A Are you referring to Stephanie Lowery's statement?

11 Q Yes.

12 A Okay.

13 Q Page 1 of that report, I believe it is, or page 2,  
14 January 3rd, 2013.

15 A I have the school social worker but I don't have the  
16 school nurse's statement in here.

17 MR. BEAVER: May I approach the witness, Your Honor?

18 THE COURT: You may.

19 BY MR. BEAVER:

20 Q I'll ask you to read this paragraph, the bottom paragraph  
21 on page 2 of 4 of the report, if you would, please. See if  
22 that refreshes your recollection.

23 A She reports she was missing for approximately three weeks,  
24 missing a Christmas holiday because she was being held against  
25 her will by a 33-year-old male. She reports that she has a

1 female friend who used to be an intimate lover. She elaborated  
2 that she is bisexual and used to be in a relationship with this  
3 female. She said the friend and her -- and they text each  
4 other regularly, and the friend and a man who she thought was a  
5 male relative came to pick her up to go hang out at their house  
6 for a little while.

7 Q That's fine.

8 A Okay.

9 Q But my point is: Does this indicate to you that prior to  
10 Victim Number 1 meeting Mr. Williams, that she and Victim  
11 Number 2 had a prior sexual relationship which pre-existed the  
12 relationship of Victim Number 1 and Mr. Williams?

13 A Well, she says she has a female friend, so I don't know if  
14 that's referring to Victim Number 1 or someone else.

15 Q Well, she reports that she has a female friend who used to  
16 be an intimate lover, she elaborated that she is bisexual, used  
17 to be in a relationship with this female. She said the friend  
18 and her text each other regularly and that her friend and a man  
19 who she thought was a male relative came to pick her up and go  
20 and hang out at the house for a while.

21 A That seems as if it is the victim.

22 Q Right. Okay.

23 A But that is what was told to the school nurse.

24 Q To the school nurse.

25 A Um-hum.

1 Q Do you know when that relationship began and how long it  
2 predated the meeting with Mr. Williams?

3 A I do not. I know that they had a sexual -- Mr. Williams  
4 would have them perform sex together with him, and I know that  
5 they were doing that at the time.

6 Q Do you know if they ever -- if they were ever in a  
7 juvenile institution together prior to this --

8 A I do not know.

9 Q Never checked that at all to determine --

10 A No.

11 Q Okay. Did you have occasion in the course of your  
12 investigation or did your department with your cooperation or  
13 supervision have the opportunity to talk with neighbors in the  
14 neighborhood, workmen in the apartments, anyone like that,  
15 concerning whether or not they had seen these two young girls  
16 up and about the apartments that the defendant lived in?

17 A Yes, I did.

18 Q All right. What was the result of what you found out with  
19 that?

20 A I don't recall that individual's name, but he was a  
21 workman. He spoke Spanish, so it had to go through the  
22 property manager, but he told the property manager that he had  
23 seen both girls coming in and out of Mr. Chris Williams'  
24 apartment.

25 Q All right. And did he indicate whether or not he saw any

1 signs that those young girls were in distress of any type at  
2 all?

3 A No.

4 Q All right. Did you make any efforts to determine whether  
5 any allegations of child sexual abuse had been made by  
6 Ms. Shirley Williams regarding her two sons, Michael Williams  
7 and Christopher Williams, back in 1982?

8 A I did.

9 Q All right. What did you find?

10 A I have negative results. I did not find any --

11 Q You did not find anything at all --

12 A No.

13 Q -- from 1982?

14 A Correct.

15 Q And of course that would have been ten years prior to the  
16 offense that ended up with Mr. McLeod --

17 A Correct.

18 Q -- being placed on the sex offender list.

19 A Correct. I did check with the sex offender unit and they  
20 have extensive files on sex offenders. They let me look  
21 through everything that they had and there was nothing to  
22 indicate there were any other victims.

23 Q And that's of Mr. McLeod; is that correct?

24 A Yes.

25 Q All right. Did you check under the name Anthony McNeil?

1 A I wasn't made privy to that name.

2 Q And did you check under the name of Shirley Williams, the  
3 mother, or Christopher or his brother Michael?

4 A Yes.

5 Q All right. And you did not find --

6 A Not under Michael Williams. I wasn't aware of that.

7 Q Okay.

8 A But the Williams last name, there were no reports.

9 MR. BEAVER: All right. Thank you.

10 That's all I have, Your Honor.

11 THE COURT: Thank you. Anything else?

12 MS. COOLEY: Your Honor, just briefly.

13 - - - - -

14 REDIRECT EXAMINATION

15 BY MS. COOLEY:

16 Q I'm marking the report that you were just reading from,  
17 Nurse Stephanie Lowery, I'm going to mark that as Government 17  
18 for the record, and with respect to the entirety of that  
19 statement, I know that Mr. Beaver had you read part of that,  
20 but with regard to the rest of that statement by the school  
21 nurse, is it fair to say that the rest of the nurse's statement  
22 corroborates the disclosures that Victim 2 gave to you upon  
23 coming to the police department?

24 A Yes, it does.

25 MS. COOLEY: Your Honor, we offer Government 17 for

1 the record.

2 THE COURT: It will be received.

3 MS. COOLEY: I have no further questions.

4 THE COURT: Anything else from this witness,  
5 Mr. Beaver?

6 MR. BEAVER: No, sir.

7 THE COURT: All right. Thank you.

8 Ma'am, you may step down.

9 The United States may call its next witness.

10 MS. COOLEY: Thank you, Your Honor. We'd call  
11 Detective Chad Smith.

12 THE CLERK: Please place your left hand on the bible  
13 and raise your right hand and state your name for the record.

14 THE WITNESS: Chad Smith.

15 - - - - -

16 **DETECTIVE CHAD SMITH**

17 being first duly sworn, was examined and testified as follows:

18 - - - - -

19 DIRECT EXAMINATION

20 BY MS. COOLEY:

21 Q Thank you. Detective Smith, how are you employed?

22 A Cyber crimes detective in the Fayetteville Police  
23 Department.

24 Q How long have you been doing that?

25 A I've been doing that about nine years.

1 Q And how did you become involved in this case?

2 A Received a request from Detective Rosenberg to download a  
3 phone.

4 Q And when you say "download a phone," what generally do you  
5 mean?

6 A Basically what we do is we hook that phone up to a device  
7 and with this device it creates a one-way traffic where it  
8 downloads the information from the actual device to a folder,  
9 creating a copy of the data that's there that you can then  
10 build a report from.

11 Q Does it alter the data from the phone in any way?

12 A It does not.

13 Q With respect to this case, were you able to find any of  
14 the evidence of the sex trafficking for which you're here  
15 today?

16 A I was.

17 Q And generally speaking, what did you find?

18 A There was lots of remnants of conversations, text  
19 messages, e-mails, pictures, videos, communications between  
20 different persons, unnamed persons, just phone numbers, and  
21 like I said, lots of internet activity, to include Back Page,  
22 several other websites.

23 Q Some of those other websites being EroticMugshots.com?

24 A Yes.

25 Q And MyProviderGuide.com?

1 A Yes.

2 Q Now, when you say the traffic back and forth, did that  
3 include negotiations for prices of services?

4 A It did.

5 Q And did you find -- you mentioned photographs and videos.  
6 Were any of those child pornography or child erotica?

7 A There were images that I identified as possible child  
8 pornography and I had Detective Rosenberg come down and  
9 identify the victims, noted their faces and their ages, and  
10 through that I identified I believe it was 92 images of child  
11 pornography.

12 Q And that was 92 images that had been created by this  
13 defendant?

14 A Created by someone using that phone.

15 Q And with respect to the total number of child pornography  
16 and child erotica images, what was the total number located on  
17 the phone?

18 A I believe it was 870, but in that mix there was also shots  
19 of illegal activity not having to do exactly with child erotica  
20 or child pornography, but most of it was either child erotica  
21 or child pornography or images of women of undetermined age in  
22 sex acts or in various degrees of undress.

23 Q And were any of the things that you located videos?

24 A Yes, they were.

25 Q And with respect to our victims in particular, did you

1 have occasion to review at least four videos involving Victim  
2 Number 1?

3 A I did.

4 Q I have several of the images for you here today and what  
5 I'd like to do is hand them up and see if you can identify them  
6 as the videos you downloaded from the phone and have previously  
7 reviewed.

8 MS. COOLEY: Your Honor, if I may approach the  
9 witness.

10 THE COURT: You may.

11 MR. BEAVER: May we have just a moment, Your Honor?

12 THE COURT: You may.

13 BY MS. COOLEY:

14 Q If you would take a moment and look through the content of  
15 the red envelope and let me know if you recognize those items.

16 A I've reviewed them.

17 Q And that's Government's Exhibits 7 through 15; is that  
18 correct? 7 being a video disk and 8 through 15 being  
19 photographic images.

20 A Yes, ma'am.

21 Q And with respect to these, at least that you can see,  
22 Government's 8 through 15, are those images which you have  
23 viewed as being downloaded from the defendant's phone?

24 A They are.

25 Q And I want to start with Government's Exhibit 7, which is

1 a CD of the videos that were downloaded from the defendant's  
2 phone. Have you viewed this disk today?

3 A I have.

4 Q And are those videos in the same condition as when they  
5 were downloaded from the defendant's phone?

6 A They were.

7 Q I'm not going to play the videos for the Court here today,  
8 but I would like for the record you to describe the content of  
9 those videos and the nature and circumstances of the conduct  
10 that they depict.

11 With respect to videos 1 through 4, if you could  
12 describe what those show.

13 A Video 1 was a 2 minute I think it was 45 second, 2 minute  
14 35 second, somewhere between there, clip of the defendant and  
15 Victim 1 as identified by Detective Rosenberg, basically the  
16 defendant lying on a couch, the Victim 1 straddling on top of  
17 him in a reverse kind of situation where her vagina was in his  
18 face and his penis was in her face. Basically they're  
19 performing oral sex on each other. The video showed the  
20 defendant apparently holding the camera above his head, in  
21 front of him like this and then off to the side to show her  
22 performing oral sex on him.

23 Q And with respect to video 2, what did video 2 show?

24 A Video 2 was another video of the exact same thing,  
25 basically it was about the same length, showed the exact same

1 stuff, mainly showing her anus and vagina while he performed  
2 oral sex on her.

3 Q And at any point in time during these videos if the  
4 defendant made any statements, if you would inform the Court of  
5 those statements.

6 A In video 1 there was no audible talking back and forth or  
7 words, but instead there was a TV being played in the  
8 background, but there was nothing said between the two that I  
9 could hear or understand.

10 In the second video, as the video came on I could  
11 hear him say "I'm going to make another one" or something to  
12 that effect, then nothing else was said.

13 Then in video 3, basically he asks her, "Are you  
14 going to get my dick hard?" and she says "yes" and then -- or  
15 "Yeah," and then he says, "Well, it ain't hard yet," and it  
16 continues from there.

17 Q And in video 3 what is being depicted while he's saying  
18 that?

19 A Basically it appears that he's either standing up or  
20 sitting on something and she is between his legs performing  
21 oral sex on him.

22 Q And with respect to video 4, what does that show?

23 A Video 4 starts out with her -- Victim Number 1 lying on a  
24 bed nude on her stomach with him kind of in between her legs  
25 behind her, basically he's asking her to do things and she does

1 the things that he asks. Basically first he asks her, turn and  
2 say hi to everybody, or to everybody out there or something to  
3 that effect. She does that. He then makes a comment about her  
4 buttocks on several occasions. If I could look at my notes  
5 I could read direct quotes, but other than that I can't recall  
6 directly what he was saying.

7 Q If you would read the direct quotes for the Court, based  
8 upon your notes.

9 A Sure. I'll have to get them.

10 Sorry about that. It's on video 4, exactly what he  
11 said and as a quote, "Look back and say hi." He says, "Pretty  
12 little ass. Why don't you lean back and let them see your  
13 titties. That's some good looking shit right there. Go ahead,  
14 let me see your tongue. Play with it." And then he makes a  
15 sound, something with his tongue. "Oh, yeah, what can you do  
16 with that tongue? Lots of things. Do you want to show some  
17 people? Do you want to show some people? Mmmmm. Turn around.  
18 Mmmmm. Look at that. Go ahead, roll back over and put this  
19 dick in. Put it in from the back. Look at that ass. Hold  
20 this." And then it looks like he drops the camera at that  
21 point, it goes blank.

22 MS. COOLEY: Your Honor, at this time we are prepared  
23 to play the video for the Court, if Your Honor would like to  
24 see it; otherwise we would move the video into the record as  
25 Government's Exhibit 7.

1           THE COURT: It will be received. You don't need to  
2 play it.

3           MS. COOLEY: Thank you.

4 BY MS. COOLEY:

5 Q I want to move on to Government's Exhibit 8, and  
6 Government's Exhibit 8 through 15 -- well, first I want to ask,  
7 Government's Exhibit 8, what does that depict?

8 A It is what appears to be a webpage posted on a site,  
9 EroticMugshots, depicting what appears to be Victim Number 1  
10 holding a piece of paper, a cardboard sign with a phone number  
11 and then a name and then with a tie draped across her breasts  
12 and then her kind of bent over a little bit showing her  
13 buttocks in a pair of underwear. On the right side is --  
14 appears to be a second posting or a split screen of one  
15 posting, shows what appears to be Victim 2 in a G-string and a  
16 wig bent over on a bed in multiple positions, lying back, and  
17 then both of -- the Victim 1 and Victim 2 both in what appear  
18 to be G-strings just from the back of the shoulders to about  
19 the back of their knees together, and then both of them bent  
20 over on a bed, showing about the same area of their bodies.

21 Q Now, that's an actual screen shot from one of these  
22 websites that's present in this case; is that correct?

23 A That's correct.

24 Q Downloaded from the defendant's phone?

25 A That's right.

1 Q And were you able to observe several other different  
2 websites or postings related to this case?

3 A I was.

4 Q And were those from BackPage.com, EroticMugshots and also  
5 MyProviderGuide?

6 A Yes, it is.

7 Q And this particular exhibit, Defendant's Exhibit 8, that's  
8 from which website?

9 A This is from EroticMugshots.

10 Q Is it generally comparable and similar to other postings  
11 that you were able to observe regarding the victims in this  
12 case?

13 A It is. The pictures may be different or in a different  
14 order, the girls might be in different clothing, but the  
15 general setup is all the same.

16 Q And with respect to Government's 9 through 15, I want to  
17 ask you to describe these images for the Court.

18 Government's 9 from Indictment Count 4, if you would  
19 identify what's depicted in that photograph.

20 A This is a rearview picture of Victim Number 1 as she is  
21 bent over with the front part of her body on the couch, her  
22 knees are on the carpet, it's showing her anus and her vagina,  
23 with no clothes on from the waist down.

24 Q And with respect to Government's Exhibit 10 from  
25 Indictment Count 5, what does that depict?

1 A 10 shows Victim Number 1 bent over, appears to be in a  
2 kitchen, she's got her knees on a pillow and she's holding up a  
3 phone number on a piece of paper. The only thing she's wearing  
4 is a G-string, so you can see partial parts of her vagina and  
5 her anus.

6 Q And with respect to Government's Exhibit 11 from  
7 Indictment Count 6, what does that depict?

8 A 11 shows Victim Number 1 laid back, appears to be possibly  
9 a bed or laying on a bedspread. She's wearing a pair of  
10 underwear but she has them pushed to the side and she is  
11 spreading her vagina with her fingers.

12 Q With respect to Government's 12 from Indictment Count 7,  
13 what does that depict?

14 A Number 12 is a still screen shot of one of the videos,  
15 actually video 3, shows Victim Number 1 performing fellatio or  
16 oral sex on what appears to be a black male.

17 Q And Government's Exhibit 13 from Indictment Count 8, what  
18 does that depict?

19 A Number 13 is also from a video and it basically shows what  
20 appears to be the defendant giving a thumbs up while Victim  
21 Number 1 performs fellatio or oral sex on him, apparently on a  
22 couch or some kind of chair.

23 Q Is the defendant's face visible in that photograph?

24 A It is, and he's smiling.

25 Q Government's 14 from Indictment Count 9, what does that

1 depict?

2 A 14 shows Victim Number 2 on the left, Victim Number 1 on  
3 the right, both bent over on a bed, showing their buttocks and  
4 part of their anus, both wearing very skimpy G-string type  
5 underwear. Victim Number 1 is wearing a blond wig.

6 Q And with respect to Government's Exhibit 15 from  
7 Indictment Count 10, what does that depict?

8 A Number 15 is Victim Number 2 only wearing the blond wig  
9 bent over on a bed with her buttocks high in the air, focusing  
10 the picture on her buttocks, wearing a thong that is slightly  
11 pushed over, showing her -- part of her vagina and her anus.

12 MS. COOLEY: Your Honor, at this time we move  
13 Government's 8 through 15 as part of the record.

14 THE COURT: They'll be received.

15 MS. COOLEY: Thank you. I have no further questions  
16 for Detective Smith.

17 THE COURT: Cross-examination?

18 MR. BEAVER: I have no questions, Your Honor.

19 THE COURT: Did you say no questions?

20 MR. BEAVER: Yes, sir.

21 THE COURT: Thank you. You may step down.

22 Anything else from the Government?

23 MS. COOLEY: Not as far as the evidence, Your Honor.  
24 We are prepared to argue at the Court's pleasure.

25 THE COURT: Do you have victim allocution you said

1 you wanted to read?

2 MS. COOLEY: I do, Your Honor, and I can do that at  
3 this time if you'd like.

4 THE COURT: All right.

5 MS. COOLEY: Your Honor, with respect to the victims  
6 in this case, we have been involved with them from the  
7 beginning, we've met with them in person, we've talked with  
8 them several times on the phone. It has been an evolving  
9 determination as to whether or not they would choose to be here  
10 today. They are still very young, they are both still in  
11 therapy and they are both still trying to recover from the  
12 damage that this has done. In light of that, they both chose  
13 to write statements and ask that I read them to Your Honor.

14 THE COURT: Okay.

15 MS. COOLEY: The first statement I'll read is from  
16 Victim Number 2. She says: "For me, going through that ordeal  
17 and experience really took a lot away from me. I lost my  
18 sister (mentally). She and I don't really get along that much  
19 now. My sleep has gotten a bit hard because of nightmares  
20 about what has happened. I lost trust from my family that I am  
21 currently earning back, because really I had no business  
22 getting in the car with him (even though I thought he was a  
23 relative of my friend's).

24 "I am horribly afraid of going to court, and truly  
25 hope I don't have to go. I think about it frequently, and

1 lately very often I have nightmares about going. It's not a  
2 place I plan on ever going again for anything. But people have  
3 been very supportive and have helped me a lot, actually ever  
4 since this tragedy, and that makes me feel good.

5 "I actually don't like talking about my experience  
6 with that particular situation, so usually my family and I  
7 don't discuss it or bring it up very much for my comfort."

8 Dated September 4th, 2013.

9 With respect to Victim 2, Your Honor, she wrote her  
10 statement on November 7th of this year, and says: Dear Judge,  
11 I'm a victim of sex trafficking and here's my story. I was at  
12 a hotel with my friend and I met her pimp, Ali, and then  
13 parentheses, Christopher, my abuser. He had drugs on him and  
14 we got high. He took me to the shower and wanted to have  
15 sex -- and wanted to have sex with me. I didn't know this guy  
16 so I said no at first. I felt uncomfortable. After the tenth  
17 time of him asking me I said yes. We performed oral sex on  
18 each other and we had sex in the shower. After that we left  
19 the hotel and he took me to his mom's house. I stayed there  
20 for four days and got high with him. He snuck me in at first,  
21 but his mom caught us eventually. He got an apartment after we  
22 got caught together. Our relationship was good for about a  
23 month and then it drastically changed. He wanted me to do this  
24 threesome with this girl I knew. I didn't want to do it, but I  
25 had to. I had to watch him have sex with her in my face.

1 Later that day we took her home and went back to his apartment.  
2 I was very hurt. This made me not like him as much. He got  
3 mad at me and said, "You embarrassed me, next time act like you  
4 like it." When I did the threesome, I looked like I didn't  
5 enjoy it and that's why he yelled at me about that.

6 She then has a subsection that says, "Ali's Rules for  
7 Prostituting." When guys come to the door say, quote, pull it  
8 out, and touch my breast to make sure they weren't cops. We go  
9 upstairs and I'd say "spread the donation." It was \$100 for  
10 30 minutes, \$200 for an hour, no anal or bareback, no fetishes,  
11 kissing or touching my genitals. More positions can be done if  
12 you pay for more time.

13 Another subsection says "Ali's Phone Rules." When  
14 clients call, I answer and say, "hi, how are you? Are you  
15 law enforcement? What kind of time are you looking for?" I  
16 wouldn't give clients my address because they could be cops. I  
17 would give my street name if they needed help getting to my  
18 location. If I don't do these rules I would get yelled at,  
19 slapped, almost beat to death, kicked, punched or choked. Most  
20 of the time I'd end up in bruises.

21 Another subsection, "About Victim 2."

22 Ali had sex with her and got her pregnant. I know  
23 this because I felt her stomach and it had a knot in it. She  
24 was sex trafficked as well and she was forced to; if she  
25 didn't, Ali would take all her money she made and he would have

1 kicked her out.

2 I just want Ali to never get out of jail because I  
3 know that he is crazy enough to seek revenge on me, because he  
4 said he will kill me if I told anybody this.

5 This trauma has impacted me a lot. I had to deal  
6 with a lot of clients and it was absolutely disgusting. I see  
7 old men as perverts and I can't be in a relationship because  
8 I'm insecure and this has made me be more insecure. Because of  
9 me dealing with a lot of clients, I can't be in Fayetteville.  
10 That's why I want my family to move, so I can keep them and me  
11 safe. I don't want to end up seeing a client at the mall or  
12 store. I don't want them to stalk me or my family.

13 I assume that my staff members are dating, even  
14 though they aren't, and I think about my past when I'm doing my  
15 schoolwork. Sometimes I can't concentrate, and I think a lot  
16 about drugs. This is how much this trauma has affected me.  
17 Sometimes I even have terrible nightmares, causing me to cry  
18 when I wake up.

19 My self-esteem has lowered a lot since I've been  
20 through this. I think about having surgery sometimes because I  
21 feel ugly and worthless. Living with this has -- living with  
22 this man has been absolute hell and I hope no one will have to  
23 go through this if he gets out of jail.

24 Sincerely, and then she signs her name, Victim 1.

25 THE COURT: All right. Anything else from the

1 Government by way of -- you said you only have argument left?

2 MS. COOLEY: That's correct, Your Honor, just  
3 argument left.

4 THE COURT: Mr. Beaver, did you want to present  
5 anything, other than argument? I am going to hear argument.

6 MR. BEAVER: Your Honor, could I suggest a very brief  
7 recess so that I can talk with the defendant's family?

8 THE COURT: Okay. We'll take a ten minute recess  
9 until 2:50.

10 - - - - -

11 (Recess at 2:39 p.m. until 2:53 p.m.)

12 - - - - -

13 THE COURT: Mr. Beaver?

14 MR. BEAVER: Yes, Your Honor. We would call  
15 Ms. Shirley Williams to come forward, please.

16 THE CLERK: Please place your left hand on the bible  
17 and raise your right hand and state your name for the record.

18 THE WITNESS: Shirley Williams.

19 - - - - -

20 **SHIRLEY WILLIAMS**

21 being first duly affirmed, was examined and testified as  
22 follows:

23 DIRECT EXAMINATION

24 BY MR. BEAVER:

25 Q Would you state your name, please.

1 A Shirley Smith Williams.

2 Q Ms. Williams, what city do you live in?

3 A Fayetteville, North Carolina.

4 Q And you are the mother of the defendant in this case,  
5 Christopher Williams; is that correct?

6 A I am.

7 Q Do you recall when your son Christopher was about  
8 four years old where he was babysat?

9 A Yes.

10 Q Where was he babysat?

11 A Georgialeen Autry. She was the youth leader of my church.

12 Q And during the period of time -- how long did Ms. Autry  
13 babysit for you?

14 A From six months to about a year.

15 Q And who did she babysit for?

16 A Christopher, John and Michael Williams.

17 Q All right. How old was John at that time?

18 A Nine. Christopher was four and Michael was three.

19 Q All right. You've prepared a letter for Judge Dever which  
20 has been submitted along with a motion in this matter; is that  
21 correct?

22 A Yes, sir.

23 Q Have you had a chance to completely review that letter?

24 A Yes, sir.

25 Q And are the matters and things that were stated in that

1 letter the truth?

2 A Yes, sir.

3 Q Specifically, did there come a time when you reported to  
4 the Fayetteville Police Department that your sons Christopher  
5 and Michael had been sexually abused?

6 A Yes, sir.

7 Q Can you tell me approximately when that was?

8 A It was '84.

9 Q Okay. Around '84?

10 A Yes, sir.

11 Q Is that correct?

12 A Yes, sir.

13 Q And what did you tell the Fayetteville Police at that  
14 time?

15 A I told them that they had said that -- I was giving them a  
16 bath and they were sore, and they said that they had been  
17 sexually molested after I questioned them.

18 Q Did you take your boys to a physician?

19 A Yes, sir.

20 Q And do you recall who that doctor was?

21 A It was Fort Bragg. We were military.

22 Q Okay. So are those records available to you any longer at  
23 this time?

24 A I don't know.

25 Q Where did you go to the Fayetteville Police Department to

1 report this?

2 A I called them and a detective came out.

3 Q And did you talk with the detective?

4 A Yes.

5 Q And did you have your boys talk to the detective?

6 A Yes, sir.

7 Q What finally came of that allegation, of that account?

8 A He said that he brought Anthony in and he passed a lie  
9 detector test, and I told him they know who he is, they've  
10 known him for years, and I wanted something done about it.  
11 He said, "Do you really want to put your boys through that?"  
12 I said "Yes." And he said, "Well, they're going to put them on  
13 the stand and ask them, do you believe in Santa Claus, and once  
14 they say yes, they're going to say, see, there's no Santa  
15 Claus, these boys are lying," and I didn't want to put my kids  
16 through that.

17 Q When you say the detective told you they gave Anthony a  
18 lie detector, who was Anthony?

19 A He was the molester, one of them.

20 Q All right. Were there two?

21 A Yes, sir.

22 Q What were their names?

23 A Wayne McLeod and Anthony McNeil.

24 Q And changing the subject for a moment, did you have  
25 occasion to find a young woman in your house who was uninvited

1 in the spring of 2012?

2 A Yes, sir.

3 Q Could you explain to the Court about that, what occurred.

4 A I heard someone upstairs in my house. My sister had --  
5 Ms. Gilbert had told me that I was at work and that she heard  
6 someone in my house. I laughed. I thought she was kidding. I  
7 got home and I also heard the noise, and I went upstairs, and I  
8 asked her to come out, whoever is in there, I'm going to call  
9 the cops; then she came out. It was a young lady, Victim 1.  
10 I took her downstairs to my bedroom and I sat there and I  
11 talked to her and I asked her, "How old are you?" She said 18.  
12 I said, "Are you sure? You don't look 18 to me." She said,  
13 "Yes, ma'am, I'm 18." I said, "Well, what are you doing in my  
14 house?" She said, "Chris invited me here." I said, "This is  
15 my house. He has no right to invite you here. Where are your  
16 parents?" She said her parents didn't want her and that she  
17 had aged out of the group home, and I have hired a girl in my  
18 salon that aged out of a group home, so I believed her.

19 Q What type of work do you do?

20 A I own a barber shop and salon. Barber shop and salon.  
21 I'm a barber.

22 Q And where do you work?

23 A 5411 Ramsey Street, Fayetteville, North Carolina.

24 Q And how long have you done that type of work?

25 A 28 years.

1 Q Okay.

2 A I've been in business 25.

3 Q All right. And did you raise your sons by yourself; is  
4 that correct?

5 A Yes.

6 Q Did you and your husband divorce?

7 A We did. When Mike was a year old we were divorced.

8 Q When he was a year old?

9 A Yes, sir.

10 Q How long did the girl stay at your house?

11 A A couple of days.

12 Q By "a couple," do you mean approximately two days?

13 A Yes, sir. I told Christopher -- after talking to the  
14 girl, I was upset that her parents could want nothing to do  
15 with her. I wanted to go and talk to the parents. I was real  
16 upset, how can you do that, to throw your daughter out and not  
17 want her? And when Christopher got home from work, I talked to  
18 Christopher, and he told me he had met the girl and he was  
19 trying to help her. I told him he couldn't live with a woman  
20 in my house. At that time I thought she was 18, but I don't  
21 care if she's 40, she can't live in my house with my son.

22 Q Did there come a time after that that your husband -- I'm  
23 sorry, your son Christopher and this Victim Number 1 moved out  
24 of your house?

25 A He got an apartment the next day and they moved out the

1 day after that.

2 Q All right.

3 A Second day.

4 Q So from the time that you found her in your house until he  
5 got the apartment and moved out was approximately three to four  
6 days; is that correct?

7 A No, sir, it was a couple of days. I put her in the guest  
8 room. She had to come out of his room and go to the guest  
9 room.

10 Q All right. Where did he move to?

11 A He moved behind McDonald's in an apartment complex. I  
12 don't know the name of it. I think it's Woodley or something.

13 MR. BEAVER: Your Honor, may I please see --  
14 I believe it's Government's Exhibit Number 6, I believe, which  
15 is the initial lease.

16 BY MR. BEAVER:

17 Q Was this a house located on Wichita Drive in Fayetteville?

18 A Yes, sir.

19 Q All right. I'll show you what the Government has admitted  
20 as the lease to those premises and point out to you the date of  
21 that lease was July the 13th of 2012.

22 A Yes.

23 Q All right. Was that the date that your son moved in --

24 A Yes, sir.

25 Q -- to that apartment?

1 A Yes, sir.

2 Q And he had been with this young girl in your house for  
3 only two days prior to that?

4 A Yes, sir.

5 Q Okay. Did you ever have occasion to visit Victim Number 1  
6 and the defendant while they were in either one of the two  
7 apartments that they lived in until December of --

8 A Yes, sir.

9 Q -- 2012?

10 A Yes, sir.

11 Q Would you explain to the Court the interaction that you  
12 personally observed between your son and Victim Number 1 during  
13 that period of time.

14 A They were happy. I thought they were just roommates. He  
15 told me that he had a roommate, and I thought they were  
16 roommates, and she seemed happy. She was the one I interacted  
17 with. Christopher tried -- always tried to avoid me because he  
18 felt I was hard on him, but I had interaction with her.

19 Whenever I called the apartment to talk to Chris, she would  
20 answer the phone, she always had the phone; and sometimes I  
21 would go to drop Chris off because his car needed repair, she  
22 would ride with me to drop him off at work and then I'd drop  
23 her back off at the apartment.

24 Q And you saw her off and on at various intervals from July  
25 of 2012 until December of 2012?

1 A Yes. When they moved to the second apartment, she was --  
2 she was making fun of me, laughing and making fun of me because  
3 I couldn't find Wind Hill Drive and she thought that was very  
4 funny and was calling me dumb because I couldn't find it and  
5 she couldn't believe I couldn't find it.

6 Q During that period of time were you ever alone with her  
7 for any extended periods of time?

8 A Yes, sir. Yes, sir.

9 Q Did she ever express any concerns with you about her  
10 safety or the fact that she was being physically abused in any  
11 manner?

12 A No. She was always happy.

13 Q Did y'all ever talk about the relationship between her son  
14 and you? I mean your son and her.

15 A No. I gave her a bed with the mattress and all so she  
16 would have her own room. I just -- I thought she was his  
17 roommate, that's what I was led to believe.

18 Q Turning back again, over the years after your son was  
19 physically abused by these two -- by the way, what was her  
20 relationship with these two men, Anthony McNeil and Wayne --

21 A They were -- Wayne was Anthony's uncle, but they were like  
22 a couple of years apart in age.

23 Q All right. What effect, from your observation of your son  
24 over the years, did this sexual abuse have on him?

25 A I started him off with a therapist, and she was telling

1 him that he had the right to say no to anyone, and he got very,  
2 no, no, no, so I took him out of therapy because I thought he  
3 was headed in the wrong direction, saying no to authority, and  
4 he couldn't hold a bowel movement, he had hemorrhoids really  
5 bad. Even now he has hemorrhoids. He had a hard time fitting  
6 in. Kids would make fun of him because he wore sweats instead  
7 of jeans because he didn't want anything to rub on that area,  
8 so they were more comfortable for him instead of the jeans, so  
9 they would make fun of him because he wore sweatpants.

10 Q What is your son's work history like?

11 A He's always worked hard. He's gone to several schools.  
12 He went to ECPI in Raleigh and he went to the military and he  
13 also went to cable school out of FTTC. He always worked long  
14 hours. I would see him come home at eleven o'clock and go back  
15 up to Olive Garden or wherever he was working and he'd sit  
16 there and beg someone to let him work because he had a bill  
17 come due and he needed to work, and I would say, "Chris, don't  
18 go up there begging like you need to work like that." He said,  
19 "Well, mom, I got some bills, I got to pay them." And I've  
20 seen his foot is raw on the bottom and they're really messed up  
21 from working 12, 14 hour days. He's always been a hard worker.

22 Q Was there a period of time while your son and Victim  
23 Number 1 were together that he was employed with Cheddar's  
24 Restaurant?

25 A Yes.

1 Q On McPherson Church Road in Fayetteville?

2 A Yes, that's when I would pick him up and drive him to work  
3 and she would ride along with me and then I would drop her back  
4 off.

5 Q Why were you driving him to work? What was the matter  
6 with his car?

7 A It needed to be repaired.

8 MR. BEAVER: All right. I think that's all the  
9 questions I have, Your Honor.

10 THE COURT: Thank you.

11 Cross-examination?

12 MS. COOLEY: Yes, Your Honor. Thank you.

13 Good afternoon, Ms. Williams.

14 THE WITNESS: How are you doing?

15 MS. COOLEY: Good, thank you.

16 - - - - -

17 CROSS-EXAMINATION

18 BY MS. COOLEY:

19 Q I want to start off by asking, you say that in talking  
20 about the abuse of your boys, Michael was three at the time and  
21 Christopher was four; is that correct?

22 A Yes.

23 Q And Michael is the other person who wrote a letter on  
24 behalf of the defendant; is that right?

25 A Yes.

1 Q And when they told you about the abuse, when you found out  
2 about it, what words did they use to describe what had happened  
3 to them?

4 A They told me that they had been locked in a room, and my  
5 oldest son told me, he said, "Mom, they were locked in the room  
6 and I was outside playing and I came in and I heard them  
7 screaming, and I asked Anthony to let my brothers out of that  
8 room and he made me go back out and play."

9 And Chris, something he said to me that hurts to this  
10 day, he said, "Mama, I told Anthony to stop, it was hurting.  
11 He just wiped the blood and kept going."

12 Q And he told you that when he was four?

13 A Yes. He said -- I got home from work and he said, "Mama,  
14 I wanted you to come and you didn't come. I wanted you to  
15 come." And that just -- those two statements just -- to this  
16 day it bothers me that every minute seemed like an hour to him  
17 and I didn't come when he needed me, I wasn't there.

18 Q And your oldest son John, he didn't write a letter  
19 detailing this abuse to the Court; is that correct? John did  
20 not write a letter talking about this abuse to the Court; is  
21 that right?

22 A I think -- I don't know. I know Michael -- I didn't talk  
23 to Chris about it because he had a hard time dealing with it  
24 and we just -- I prayed, and some members of my church said,  
25 well, maybe -- we'll ask God to let him forget, and mentally I

1 didn't think he could handle it so I didn't discuss it with  
2 him, then when this happened, I talked to Michael about it  
3 and -- my three -- the one that was three, he said, "Mom, I  
4 remember it. I remember it vividly. If I remember it, Chris  
5 remembers it," and --

6 Q Now, you recall previously testifying for the grand jury  
7 in this case; is that right?

8 A Um-hum.

9 Q And while there you also told the grand jury that Victim  
10 Number 1 was not the only girl that he brought by your house;  
11 is that right, he also brought another girl by your house?

12 A Yes. He brought his girlfriends by to meet me.

13 Q And isn't it true that when I asked you at that point in  
14 time whether you had discussed this case with your son,  
15 Christopher, that you told him not to talk about it on the  
16 phone because the jail calls were being recorded?

17 A Um-hum.

18 Q If you could answer out loud.

19 A Yes. Yes, I told him not to discuss the case with me over  
20 the phone.

21 Q And isn't it also true when you and I were talking about  
22 that day with the moving truck that Detective Rosenberg located  
23 Victim 1 in Christopher's attic --

24 A Um-hum.

25 Q -- that when you were referring to her, you referred to

1 her as a girl and again as a girl and several times also as a  
2 child; is that right?

3 A No. I referred to her as a girl because I -- she  
4 convinced me she was 18. To me an 18-year-old is a girl.  
5 Chris was 33 and to me he's my boy.

6 Q So do you not recall telling the grand jury: "Because as  
7 a mom I would be going through hell not knowing where my child  
8 is, so if you know where the child is, you tell her"?

9 A Yes. He's my child and anyone who you gave birth to will  
10 always be your child, no matter what age.

11 Q And so when you kicked them out of your house after you  
12 found her there with him, that was pretty much immediate, you  
13 found her one day and then the next day you made them move out  
14 of your house?

15 A No, I found her that afternoon when he was at work, I  
16 talked to him about it when he came from work, he went out that  
17 next day, he found an apartment, and then that second day he  
18 moved. I put her -- I went out and bought food for her, trying  
19 to make her comfortable, and I told her, I said, come out of  
20 the room if you need something, ask me for it, because I felt  
21 sorry for her, I thought her mama didn't want her, and I've  
22 always wanted to open group homes for -- I even had a name,  
23 Safe Child, because I wanted to help.

24 Q Isn't it true that you thought something wasn't right,  
25 this was a child, in your mind, that her mother didn't want

1 her, and she was with your 33-year-old son who is a man?

2 A She's 18 and he said he was helping her. I was always  
3 happy for my kids to help someone. But I wanted to talk to her  
4 parent, because I would be there for my child. They could  
5 never do something where I would just give up on them, and I  
6 wanted to ask her mother how could you give up on your child.  
7 She told me her parents had given up on her. You shouldn't do  
8 that.

9 Q And when you went to help them move out, it's true that he  
10 told you that he was moving to Florida, correct?

11 A Pardon me?

12 Q When you went to help your son Christopher move out of his  
13 apartment, he told you he was moving to Florida, correct?

14 A He told me he was going to move in with me, and I was  
15 going to help him move in with me, and then he said he would  
16 stay there and he wanted to move to Florida eventually.

17 Q When he was moving out, did you know the detectives had  
18 been by his house just days earlier?

19 A I knew that he had been arrested days earlier because  
20 Victim Number 1 called me and begged me to go and get him out  
21 of jail. I was embarrassed because I do a lot of police  
22 officers' and judges' and attorneys' hair. I didn't want to go  
23 there. I didn't want them to make a connection that my child  
24 was committing a crime. I've always tried to be an upstanding  
25 member of society. So I asked my sister to go and bail him

1 out, after Victim Number 1 called me and said, please, go and  
2 get him, he's arrested. I was trying to get her to tell me  
3 why, and I asked my sister that was living with me to go and  
4 get him. I wouldn't go.

5 Q And which sister was that?

6 A Idell Van-Tol.

7 Q And she actually wrote a letter, not one that's before the  
8 Court here, but she wrote a letter to another judge,  
9 Judge Scott, on behalf of your son; is that right?

10 MR. BEAVER: That was Judge Dever. She got his name  
11 wrong.

12 Q She also wrote a letter?

13 A Um-hum.

14 Q And that letter, did you have a chance to read it?

15 A No.

16 Q Let me ask you this. You didn't mention this abuse to  
17 Detective Rosenberg or any other detective; is that right?

18 A I had no reason to. I mean, he was being -- what he was  
19 being arrested for was -- had nothing to do with the abuse. I  
20 didn't know until I was in here when he pled guilty and then  
21 the Judge said is there any mental abuse or psychological  
22 problems with him, that's when my eyebrows were raised, after  
23 what the Judge said before sentencing, he wanted to know if  
24 there were any abuse. I didn't even think about it until the  
25 Judge at his plea deal said that.

1 Q And we were here for the plea agreement -- I'm sorry, for  
2 arraignment, we were here July 15th of this year; is that  
3 right?

4 A Um-hum. That's when -- after the Judge asked about any  
5 abuse, that's when it -- two and two became four.

6 Q And after that as a part of preparing for today's  
7 sentencing hearing, probation came and interviewed you to  
8 confirm the information that Christopher had given them for  
9 what we call the PSR, the presentence report; is that right?

10 A Um-hum.

11 Q And they asked you a bunch of questions about his history  
12 and his family and asked you to just confirm that all of those  
13 answers that he had given were correct; is that right?

14 A That was before the hearing. Yes.

15 Q That was before the hearing?

16 A Yes, because she called me for pretrial release, thinking  
17 he was going to come home.

18 Q Now, I'm not talking about pretrial release. I'm talking  
19 about the Probation Department --

20 A No.

21 Q -- called you.

22 A No.

23 Q Richard Whitaker.

24 A No.

25 Q Probation Officer Richard Whitaker didn't call you?

1 A No.

2 Q He did not? So if he listed in his report that the family  
3 information was verified by the mother, Shirley Williams, by  
4 the pretrial investigation, then that would not be an  
5 accurate --

6 A Pretrial, yes. Yes. Pretrial release. That's the only  
7 person I talked to, and that was a female, that wasn't a male.

8 Q So whenever you talked to Probation, you didn't report to  
9 them at all that there was any abuse?

10 A It was pretrial release. I didn't make a connection until  
11 I got here for the plea and the Judge asked about the abuse.  
12 It didn't -- I had no reason to say anything to anyone because  
13 that wasn't why he was being arrested.

14 Q And Ms. Williams, based upon your life experience and the  
15 experience you've had with your children and raising your  
16 children and in your community, is it your testimony that to  
17 you it was normal that a 33-year-old man would have an  
18 18-year-old runaway girl as a roommate and that was okay with  
19 you?

20 A Let me explain this. Chris called me when he was about 15  
21 and he said, mom -- because I've always helped, I organize a  
22 program to feed the homeless in our neighborhood and I took my  
23 kids with me, and I said, "If you smell them, don't even say  
24 it. I'd rather for you to treat them like you would President  
25 Bush." So I've always helped, and he called me, and he was

1 about 15, and he said, "Mom," he said, "I found this girl, she  
2 has noplac to go." He said, "I told her my mom won't leave  
3 you on the street, you can come home with me." So we've always  
4 helped. No, I wasn't surprised, because I thought he was  
5 helping her.

6 MS. COOLEY: I have no further questions.

7 THE COURT: Thank you. Anything else?

8 MR. BEAVER: No, Your Honor.

9 THE COURT: Thank you, ma'am. Please watch your step  
10 stepping down.

11 MR. BEAVER: Ms. Linda Oliver, please.

12 THE CLERK: Please raise your right hand and state  
13 your name for the record.

14 THE WITNESS: Linda Oliver.

15 - - - - -

16 **LINDA OLIVER**

17 being first duly sworn, was examined and testified as follows:

18 - - - - -

19 DIRECT EXAMINATION

20 BY MR. BEAVER:

21 Q Would you state your name, please, ma'am.

22 A Linda Oliver.

23 Q What city do you live in?

24 A In Fayetteville.

25 Q Are you married, Ms. Oliver?

1 A I'm a widow.

2 Q All right. How many years were you married prior to being  
3 a widow?

4 A 39 and a half years.

5 Q I'm sorry. Do you have children?

6 A Yes, I have two boys.

7 Q All right. And how old are your boys?

8 A They're 38 and 40.

9 Q I want to draw your attention to an occasion about  
10 30 years ago. Do you know Idell -- I'm sorry. Do you know  
11 Shirley Williams?

12 A Yes.

13 Q How long have you known Ms. Williams?

14 A I want to say about 40 years.

15 Q Are you friends?

16 A Yes.

17 Q Are you good friends?

18 A Very good friends.

19 Q Do you confide in one another?

20 A Yes.

21 Q About 30 years ago do you remember a conversation that you  
22 had with Mrs. Williams regarding her two boys, Michael and  
23 Christopher?

24 A Yes, I do.

25 Q All right. Can you relate that conversation for the

1 Judge, please.

2 A We were talking on the phone and she told me, she said,  
3 "Linda," she said, "the boys have been molested," and I was  
4 asking her how did she know that. She said, well, she was  
5 trying to give them a bath and they were complaining, and that  
6 they had told her that Wayne and Anthony, Georgialeen's boys,  
7 they had molested them, because Georgialeen was the babysitter  
8 and we were all good friends, and we cried together on the  
9 phone that night.

10 MR. BEAVER: Okay. That's all the questions I have,  
11 Your Honor.

12 THE COURT: Thank you. Any Cross?

13 MS. COOLEY: No, Your Honor.

14 THE COURT: Thank you, ma'am. Please watch your  
15 step.

16 MR. BEAVER: I'd like to call John Williams, please.

17 THE CLERK: Please raise your right hand and state  
18 your name for the record.

19 THE WITNESS: John Williams.

20 - - - - -

21 JOHN WILLIAMS

22 being first duly sworn, was examined and testified as follows:

23 DIRECT EXAMINATION

24 BY MR. BEAVER:

25 Q Would you state your name, please?

1 A John Williams, Jr.

2 Q Mr. Williams, where do you reside?

3 A I live in Angier.

4 Q Angier, North Carolina?

5 A Yes.

6 Q What type of work do you do?

7 A I'm a nuclear security officer.

8 Q And where are you a nuclear security officer?

9 A Shearon Harris.

10 Q How long have you worked there?

11 A Seven plus years.

12 Q You're Christopher and Michael's brother; is that correct?

13 A Yes.

14 Q What can you tell the Court about the abuse of your  
15 brothers back when they were four and five years old?

16 A It's a very sensitive discussion. I was approximately  
17 about seven or eight years old. Ms. Mina, that's Georgialeen  
18 Autry.

19 Q Georgialeen?

20 A Yes. Her and my mother were very good friends. She had  
21 two other boys, they were around my age. A lot of times the  
22 three of us would go out and play, and my brothers, Christopher  
23 and Michael, would be left in the house. This one time in  
24 particular I remember I guess my brothers and I was getting  
25 kind of rowdy playing, and I remember he took my brothers in

1 the room, and I went and banged on the door and he refused to  
2 open the door. It's something that we never -- very rarely  
3 discussed because it's always a sensitive -- it was always a  
4 sensitive subject, about the abuse.

5 I remember going to my mother, we were staying at --  
6 I can't remember the name of the -- but I remember we were  
7 staying in a house and my mother was -- we were getting ready  
8 for church, as a matter of fact, and I remember her pulling me  
9 to the side with my two other brothers and she's talking to me  
10 and she's telling me that we won't be going back over there  
11 anymore, and I didn't fully comprehend or understand why, and  
12 then she told me what he had done to my brothers.

13 Q Would it be fair to say that you felt guilty because of  
14 what had happened to your brothers?

15 A Yes. It's a burden I still carry, because I wasn't there  
16 to protect my brothers.

17 Q Has this been kept as a family secret for all of these  
18 years?

19 A Yes. Yes, it was.

20 Q Do you think it's affected your family?

21 A I know it has.

22 Q In what ways?

23 A My brothers and I has always been close, for the most  
24 part, but as we grew older, me as a man, I'm realizing that we  
25 have a lot of unresolved issues. Some of it is guilt. Like I

1 said, I to this day still carry the burden that I wasn't there  
2 to protect my brothers. I always wished I could. So with that  
3 coming up, we just learned to protect ourselves, in a sense,  
4 and the older we got, the more it seemed as though we started  
5 taking our own paths, one, two, I guess found our own way of  
6 coping or handling things. We never got therapy, we just tried  
7 to handle it the best way we knew how, so we just didn't talk  
8 about it in a sense.

9 Q John, did there come a time in 2012 when you came to know  
10 what has been referred to in the courtroom as Victim Number

11 1 --

12 A Yes.

13 Q -- in this case?

14 A Yes.

15 Q Where did you get to know her?

16 A I got to know her from her residing with my brother.

17 Q And where did you see her residing with your brother?

18 A The first I think was called Ponderosa Apartments behind  
19 McDonald's, right next to Foxfire neighborhood, subdivision.

20 Q And did you see her in the other apartment too?

21 A Yes, I did.

22 Q Can you explain to the Judge the interactions that you saw  
23 going on between Victim Number 1 and your brother Christopher?

24 A It seemed to be happy interactions. I remember my mom  
25 sent me over there one time to actually help him move in, but

1 by the time I got there he was pretty much done. There was  
2 another time I was in the vicinity, I think I just left my  
3 mom's house, and I went by to check on Chris just to see how he  
4 was doing, and he was at work and she came to the door, she  
5 said he wasn't here, and I said, just tell him I came by. Then  
6 the other two interactions was at the other apartment.

7 Q Can you describe the last interaction you had with her?

8 A The last interaction I had with her, I was over to the  
9 house, or, excuse me, over to the apartment to help him move,  
10 and --

11 Q Prior to that was there a conversation you witnessed  
12 involving yourself, Victim Number 1 and your brother  
13 Christopher about another girl who had been staying at the  
14 place, Victim Number 2?

15 A I met a girl. They were playing video games. That was  
16 the day my mom sent me by there to take him some clothes for a  
17 job interview. They were playing video games, laughing and  
18 joking going on.

19 Q Okay. When the policeman came over in December of 2012  
20 and your brother was arrested, were you at the residence that  
21 day?

22 A No. The day I was at the residence was in January,  
23 I believe it was January 8th, when two detectives came and  
24 started asking questions about a missing -- a missing  
25 individual, a missing girl.

1 Q All right. Is this the day the girl was discovered up in  
2 the attic?

3 A Yes.

4 Q All right. Did you go to the attic and actually crawl up  
5 there and discover her up there?

6 A I did.

7 Q Were you trying to help the police at that time?

8 A Yes, I was. The day was kind of stressful. My brother  
9 and I had just had an argument about the moving truck, but then  
10 I noticed two police cars coming up and two female detectives  
11 exit the vehicles, and they started asking Chris questions and  
12 started asking me a couple of questions and my mother a couple  
13 of questions, and I remember that she was talking to my mother  
14 about a missing girl and she had the picture, and I walked over  
15 and I saw the picture and the detective asked me, "Have you  
16 seen this girl?" I said, "no," and then she asked me was there  
17 a girl in a house. I said, yeah, there was a girl in the  
18 house, but it wasn't the individual in the picture. The girl  
19 that was at the residence, she was on the slim side; the girl  
20 in the picture was heavier, longer hair, straighter hair. So  
21 no, I didn't make a reference between the two. I didn't think  
22 it was the same individual.

23 Q What caused you to go in the house and find the girl in  
24 the attic crawlspace?

25 A Upon questioning Chris and asking us to help and this,

1 that and the next, the comment was made by one of the  
2 detectives saying that we're not concerned with your brother,  
3 the only thing that we're concerned with is getting the girl  
4 back. If you help us find the girl then we'll let your brother  
5 go. Okay. Why not. I mean, it's helping them and it's  
6 helping my brother at same time. See, it was -- it was in  
7 question that the attic or the crawlspace had been tampered  
8 with and that the girl could possibly be up there. I want to  
9 say one of the detectives looked but they wasn't tall enough to  
10 actually look in there, so I took it upon myself when the  
11 detectives helped me up and I looked in there and actually got  
12 in there and looked around, at first I didn't see her but then  
13 I noticed that someone was laying there, and I looked down at  
14 the detective, I said, yes, you know, over there, and she told  
15 me to come down and I came down. She said, "What did you see?"  
16 I said, yes, there was someone laying in the corner over there,  
17 very flat, I could barely see them.

18 Q Did she appear to be hiding there to you?

19 A Yes, it appeared she was hiding.

20 Q Was she trying to avoid being seen?

21 A Yes.

22 Q And then I believe the police indicated they had called  
23 some firemen to get her out and you went outside --

24 A Correct.

25 Q -- of the residence; is that correct?

1 A Yes.

2 Q All right. In any of the time that you saw the young  
3 woman or girl on the premises or had conversation with her, did  
4 she in any way seem to be in distress to you?

5 A Not at all. I remember one time we went grocery shopping,  
6 I went over there and we all went grocery shopping, we had to  
7 get groceries. We went to -- it was Food Lion, as a matter of  
8 fact, and I remember her and Chris split up, went on different  
9 aisles. So, no, she didn't seem like she was in fear of her  
10 life or in distress or anything.

11 Q Do you recall if she ever told you her age?

12 A No. It never became a question.

13 Q Never came up?

14 A No.

15 MR. BEAVER: All right. That's all I have,  
16 Your Honor.

17 THE COURT: Thank you.

18 Cross-examination?

19 MS. COOLEY: Thank you.

20 - - - - -

21 CROSS-EXAMINATION

22 BY MS. COOLEY:

23 Q Mr. Williams, you and I have met before?

24 A Yes, ma'am.

25 Q You also testified at the grand jury.

1 A Correct.

2 Q And you told me then that you got up in the crawlspace.

3 A Correct.

4 Q And that's when you located Victim Number 1, correct?

5 A Correct.

6 Q Now, how did you get up there?

7 A One of the detectives helped me up. At first she was,  
8 I think, trying to lift me up, couldn't do it, so we went and  
9 got a nightstand, I think, and that's how I got up there.

10 Q And how tall are you?

11 A Five ten and a half.

12 Q So you're pretty tall.

13 A Average height.

14 Q And fair to say you couldn't get up in that crawlspace by  
15 yourself?

16 A No.

17 Q Somebody had to put you up there?

18 A Well, I had to use a nightstand to get up, yes.

19 Q And you work security in nuclear plants, right?

20 A Correct.

21 Q Do you ever do any investigations as a result of that?

22 A Minor.

23 Q But you went to college?

24 A Some college.

25 Q Okay. And so you're a pretty smart man?

1 A I like to think so.

2 Q And when your brother went in the house that afternoon and  
3 locked the door and the girl that you saw in that house ended  
4 up in the crawlspace, up in the attic, you mean to tell me that  
5 you didn't know that something was wrong at that point?

6 A At that time -- my brother has a tendency where if he  
7 feels like his back is against the wall, he tends to push back,  
8 so that day I learned that I guess two police officers had came  
9 by before and he felt as though he was treated unfairly, so  
10 that's the reason for the pushback. And as far as the girl  
11 being up in the attic, yeah, I didn't think that was right.

12 MS. COOLEY: I have no further questions.

13 THE COURT: Thank you. Anything else?

14 MR. BEAVER: No, sir.

15 THE COURT: Thank you. Please watch your step  
16 stepping down.

17 MR. BEAVER: Ms. Idell Van-Tol, please.

18 THE CLERK: Please place your left hand on the bible  
19 and raise your right hand and state your name for the record.

20 THE WITNESS: Idell Van-Tol.

21 - - - - -

22 **IDELL VAN-TOL**

23 being first duly sworn, was examined and testified as follows:

24 - - - - -

DIRECT EXAMINATION

BY MR. BEAVER:

Q Would you state your name, please.

A Idell Van-Tol.

Q And, Ms. Van-Tol, where do you live?

A I live in Maryland right now.

Q And do you have roots in Fayetteville, North Carolina?

A Yes.

Q How many years did you live in Fayetteville?

A About 30 some, 30 plus.

Q And you are the sister of Shirley Williams; is that correct?

A Yes.

Q And you are the aunt of Christopher Jason Williams; is that correct?

A Yes.

Q You wrote a letter to the Judge on behalf of Christopher?

A Yes.

Q Is that correct?

Were the things that were contained in that letter truthful?

A Yes, it was.

Q In all respects?

A Yes, in all respects.

Q Very briefly, would you just describe the relationship

1 that you saw between Victim Number 1 and Christopher Jason  
2 Williams.

3 A Well, I thought it was a friendship, you know, I thought  
4 it was just he was helping her, you know, like a buddy kind of  
5 thing, because they'd laugh and joke and, you know, because I  
6 would be around them, I saw them interact, and I thought it was  
7 like just buddies, you know, they was just kidding around,  
8 you know, because they had me laughing too.

9 Q How many times did you see her between July of 2012 and  
10 January of 2013?

11 A I saw them on many occasions, because I took them by the  
12 house, I took them to the store, I took them -- I took his car  
13 to get fixed, and I called -- every time I called she answered  
14 the phone and she would say he's not there or she won't answer  
15 the phone or she'll answer it and just hang up.

16 Q During the periods of time that you would call on the  
17 telephone, who would answer?

18 A She always answered. I never -- Chris never answered. I  
19 always said, every time I spoke to Chris, you know, sometimes  
20 when -- I asked why she had his phone.

21 Q And did you have occasion where you would be alone with  
22 this young lady?

23 A Yes. I would be alone when I'd take the two of them to  
24 the store, Chris would go to the store and she would be in the  
25 car. I even asked her did she -- Chris would be in the store,

1 she sat in the car a lot, and I said, do you want me to take  
2 you somewhere so we can get you some food, and she said, no,  
3 she don't have a Social Security card, I.D. I said, "Where is  
4 it?" She said, "It's at home." I said, "Do you want me to  
5 take you to get it?" And she said, "No, no, I just don't want  
6 to bother."

7 Another occasion she was in the car and I took --  
8 followed Chris to his car to get his car fixed and she was  
9 right there and I was asking her, are you okay, you know, how  
10 is everything going, you know, me and her carried on  
11 conversation, and I never thought -- ever thought nothing was  
12 wrong with her. She never seemed distressed. She was always  
13 in a bubbly mood.

14 MR. BEAVER: Okay. That's all I have, Your Honor.

15 THE COURT: Thank you. Any Cross?

16 MS. COOLEY: No, Your Honor. Thank you.

17 THE COURT: Thank you, ma'am.

18 MR. BEAVER: Thank you, Your Honor.

19 I'd call Michael Williams to the stand.

20 THE CLERK: Please raise your right hand and state  
21 your name for the record.

22 THE WITNESS: Michael Justin Williams.

23 - - - - -  
24  
25

MICHAEL WILLIAMS

being first duly affirmed, was examined and testified as follows:

- - - - -

DIRECT EXAMINATION

BY MR. BEAVER:

Q Would you state your name, please.

A Michael Justin Williams.

Q Mr. Williams, what city do you live in?

A Atlanta, Georgia.

Q How long have you lived in Atlanta?

A Six and a half years.

Q Do you have work that do you there?

A Yes, sir.

Q What type of work do you do?

A I'm a celebrity personal trainer.

Q I'm sorry?

A I'm a celebrity personal trainer.

Q And how long have you been doing this type of work?

A Six years.

Q You wrote a letter to the Judge --

A Yes, sir.

Q -- in this matter; is that correct?

A Yes, sir.

Q Were all the things stated by you in that letter the

1 truth?

2 A Yes, sir.

3 Q Tell the Judge, if you would, about the abuse that you and  
4 your brother suffered at the hands of the two babysitters that  
5 you had when you were four and five years old, three and four  
6 years old.

7 A The house that we went to, it was a lot of knitting and  
8 stuff there, and the guy, he seemed -- he seemed okay at times.  
9 He was trying to kind of break me and Chris out of our shell,  
10 because any time we were to go someplace, whether it was public  
11 or somebody's home, we had to remain seated, no loud talking,  
12 no playing, nothing, so he tried to get us to interact more in  
13 a playful side, because me and Chris only had each other. So  
14 after a time period of going over there, he's trying to get us  
15 to wrestle, things of that nature, pin us against each other,  
16 and then he would start saying, okay, well, now you're going to  
17 get it. Okay. What for? Because you're playing in the house.

18 My mom believed in the belt, and as a child, you  
19 know, we was scared of my mom, because when she said something  
20 and we didn't do it, we were in trouble, period, so we did not  
21 want to get a beating at all, so the guy would have us doing --  
22 he would have us doing certain things that didn't make sense to  
23 me.

24 The room that we would go to was adjacent to the  
25 living room, and it would be sometimes -- I couldn't remember

1 nothing but an object coming from my mouth with liquid coming  
2 from it. I didn't know what it was or why I was going through  
3 this, but Chris would often try to, I'll say, take stuff for me  
4 so I wouldn't go through it.

5           Then it was different situations where we were  
6 together, I remember two gentlemen being there, one was  
7 interacting with Chris, one was interacting with me, and I  
8 didn't -- I didn't want it to take place at all. Chris was  
9 crying. There was one occasion, the gentleman had me hold his  
10 penis while inserting it into my brother, and he was just  
11 screaming so loud, I couldn't take it, I was just begging. But  
12 at the end of it he would always say, you open your mouth, I'm  
13 going to tell your mama what you was doing in here, and we did  
14 not want to get in trouble because we didn't know anything that  
15 he was doing was wrong, all we could think about was what we're  
16 going to experience when we get home, and we didn't want that  
17 to take place, because, I mean, her -- we were raised in a  
18 certain way not to act out in public, and with them saying we  
19 were going around breaking stuff in the house, which was  
20 entirely not true, we were fearful, so I mean we just did what  
21 we were told.

22 Q     Michael, how did your family deal with this abuse when it  
23 became known?

24 A     My mom, she tried to shield us from a lot. She did not  
25 want us to re-live situations at all, and growing up, it wasn't

1 the normal household that we had first known, because we was  
2 trying to basically live our lives but we wouldn't confide in  
3 each other how we felt in a lot of situations because we didn't  
4 know how to handle -- how to handle things.

5 I went to -- Chris also went to Joanne's Emergency  
6 Home, I went there twice, for emotional stress. I just -- I  
7 didn't know how to react at times, and I would just get real  
8 emotional, even going into my teens, and my mom couldn't  
9 understand what was going on, so she would try to get me help  
10 in different situations, but I wouldn't open up like when I was  
11 at Joanne's Emergency Home exactly what was going on, because  
12 you don't -- don't tell people what all went -- that you went  
13 through. It's a manhood thing. Being in a tough environment,  
14 you don't want to say, okay, another man had his way with me,  
15 you don't do that.

16 So, I mean, it was hard, because me and my brother,  
17 we were growing up separate, and seeing -- it was times where  
18 me and Chris would get bullied getting off the bus. Chris  
19 spit -- I mean, everybody spits, but a guy named Trey would  
20 come up and just start punching Chris in the mouth. I didn't  
21 know what to do. We went home, holding our head in shame.  
22 Another time me and Chris was just walking down the street, a  
23 group of guys in the neighborhood was throwing rocks, Johnny  
24 heard and Johnny went out there with a stick threatening the  
25 guys, but also with that we never talked about it, because we

1 didn't know how to communicate with each other, because it's  
2 like, okay, we were taught to be a man, my mom is trying to  
3 teach us how to handle things, but it's shameful to say, okay,  
4 I'm getting bullied or this happened and, I mean, it was  
5 stressful growing up.

6 Q Do you think this abuse adversely affected you and  
7 adversely affects you today?

8 A Yes.

9 Q And how about your brother Christopher?

10 A I know if I'm 33 and still having effects, he's having  
11 effects, either that or he just really emotionally buried it  
12 where he tries not to acknowledge it.

13 MR. BEAVER: Thank you, Your Honor. I have nothing  
14 further. That all I have.

15 THE COURT: Any questions?

16 MS. COOLEY: No, Your Honor. Thank you.

17 THE COURT: Thank you. Please watch your step.

18 MR. BEAVER: That's all, Your Honor.

19 THE COURT: All right. At this time I'll hear  
20 argument first from Mr. Beaver, I'll then hear from  
21 Mr. Williams, if he wants to elocute, I'll then hear from  
22 Ms. Cooley, I'll then hear again from Mr. Beaver.

23 Mr. Beaver?

24 MR. BEAVER: Your Honor, the United States Supreme  
25 Court has said it's been uniform and constant in the Federal

1 tradition where every sentencing Judge should consider every  
2 convicted person as an individual and every case as a unique  
3 study in human failings that sometimes mitigate and sometimes  
4 magnify the crime and the punishment to ensue. Underlying this  
5 tradition is the principle that the punishment should fit the  
6 offender and not merely the crime. Congress codified this  
7 principle in 18 United States Code 3661, which provides that no  
8 limitation shall be placed on the information the Court may  
9 consider concerning a defendant's background, character and  
10 conduct; and in 18 United States Code 3553(a), I tried to be as  
11 candid with the Court as I could be in my opening statements  
12 when I said that this is just a horrible crime, it's a terrible  
13 case, there's no excuse for the behavior that occurred here  
14 that in any way justifies the conduct that occurred, but  
15 harking back to the words of the United States Supreme Court is  
16 that there are factors that bring every human being to the  
17 point of where they are at a certain point in time.

18 I repeat: The sexual abuse that Christopher Jason  
19 Williams suffered in this matter as a child does not excuse the  
20 conduct, but Your Honor, I find it hard to believe that it does  
21 not to some extent mitigate the conduct; and equally more  
22 harmful than the actual abuse itself was the way it was handled  
23 in this case. You and I well know that every seed that plants  
24 grows and it will continue to grow until at some point in time  
25 it distinguishes itself or it manifests itself in something

1 very unpleasant.

2 In this situation, in the context of the early 1980s,  
3 we have come -- traveled eons in that time in coming to  
4 understand sexual abuse and the longterm effects of it on  
5 anyone. It's said in the scriptures that the sins of the  
6 father are visited upon the children for seven generations, and  
7 it's very similar to this situation, particularly when you get  
8 sexual abuse in many, many instances, particularly when it's  
9 coupled with the threat of physical violence or excessive  
10 discipline being imposed upon children and that it is buried in  
11 a family's background, it's like a wound that continues to  
12 fester and fester and fester, and at some point in time to some  
13 particular person it can have one effect and to another person  
14 it can have another effect.

15 I believe that the evidence in this case tends to  
16 show that the type of abuse that this young man was subjected  
17 to combined with the fact that it went completely untreated, it  
18 was basically swept under the rug with an attitude of, "if we  
19 just don't talked about it, maybe this will just go away," and  
20 it continued to fester and it created absolutely disgraceful  
21 and abhorrent conduct, which is admitted by this defendant,  
22 he's admitted this by pleading guilty to the two charges, by  
23 accepting responsibility, by professing to you his acceptance  
24 of responsibility, and the question now becomes what does the  
25 Court do with this young man.

1           You've got a guideline range of 30 years to life,  
2 Your Honor. You've got a world of tools at your disposal in  
3 which to handle this matter. You have the fact that at some  
4 point in time if Your Honor sees fit to let him be released, he  
5 will be -- in my experience, 100 percent, will be likely --  
6 certainly be the subject of examination to determine if he's a  
7 sexual violent person, and if he's found to be so, a civil  
8 proceeding will be brought and he will continue to be held  
9 indefinitely until he no longer meets that criteria.

10           All that we are asking you for, all of these folks  
11 who are here, his mother, his father, his brothers, his aunt,  
12 his uncles, his pastor, his friends, the people who are the  
13 support in the community, is asking that there be some end in  
14 sight to the amount of punishment in terms of prison time that  
15 he be subjected to.

16           He knows, his family knows and they are in acceptance  
17 that he is going to prison, and he will probably go to prison  
18 for many years, but we're asking the Court to consider giving  
19 him some opportunity in the future to redeem himself and to  
20 prove himself worthy of redemption.

21           There are a number of things that we can do to help  
22 in that process. He abused alcohol and drugs ever since his  
23 early teens, and he can be subjected to the most intensive  
24 treatment for alcohol and substance abuse that's available in  
25 the Federal prison system; he can be given vocational skills

1 and vocational training over that number of years; and most  
2 importantly, he can receive the Federal prison system's various  
3 mental health programs, particularly those aimed at sexual  
4 abuse and sexual offenders; so if that day finally does come,  
5 in Your Honor's discretion, that he is allowed perhaps the  
6 opportunity to redeem himself or to prove himself indeed worthy  
7 of redemption, he will have that opportunity and hopefully,  
8 with the help of the Bureau of Prisons, will reach that point  
9 in time.

10           What I'm asking the Court for is to consider all of  
11 the circumstances surrounding this, look at the abuse that he  
12 went through, and it appears, I would argue from the evidence,  
13 beyond any dispute whatsoever that these things did occur.  
14 People have testified to this. His mother's friend of 40 years  
15 has come forward. Any argument of recent fabrication has been  
16 thoroughly rebutted. Her son, her other son who was a victim  
17 of abuse, the other son who has borne the burden of guilt for  
18 not being able to protect his younger brothers all of these  
19 years have come forward. These things occurred, and they  
20 occurred with this young man, and they caused him exactly the  
21 same type of mental problems that now appear to have at least  
22 in part replicated themselves among the victims of this  
23 offense, and so the sins of the father are passed on and on and  
24 on for generations until somewhere or other we're able to put a  
25 stop to it.

1           Hopefully with the wisdom of the Court, with the  
2 wisdom of the Bureau of Prisons, and the various programs that  
3 are available to him, and I repeat myself, he will indeed have  
4 an opportunity of redemption or an opportunity to prove that he  
5 is worthy of redemption.

6           So I ask the Court to consider all of that, I think  
7 severally the revised 5H1.4, I believe it is, which has to do  
8 with mental health and emotional conditions, and utilize that  
9 as a vehicle for a meaningful and reasonable downward departure  
10 from the guideline range of no less than 30 years in this  
11 matter and set a time in the discretion of the Court earlier  
12 than that where the defendant can be considered for release,  
13 assuming he meets the criteria for that, assuming he's finished  
14 all of these programs, and assuming that he is not shown to be  
15 a sexually violent offender.

16           Thank you

17           THE COURT: Thank you, Mr. Beaver.

18           At this time the Court will recognize Mr. Williams,  
19 if you'd like to make a statement, sir.

20           THE DEFENDANT: I just want to thank you for just  
21 listening and giving, you know, your best decision and  
22 hopefully put your faith in me one day. I know I've got a lot  
23 of time to do to make up for the wrongs I've done, and  
24 everybody should have to, everybody should have to, and I just  
25 ask for one day with my newfound love of the Lord to actually

1 follow after Pastor Bowman one day and preach to people and  
2 actually, you know, stop the cycle of abuse and everything that  
3 led me and other people down the paths that's leading  
4 everything down, just destroying everything.

5 THE COURT: Thank you, Mr. Williams.

6 At this time the Court will hear from Ms. Cooley on  
7 behalf of the United States.

8 MS. COOLEY: Thank you, Your Honor.

9 What we heard in the presentation of the defense case  
10 was over and over again "the behavior that occurred," "the  
11 conduct that occurred," "what happened to them." We never  
12 heard "what I did to them," "what I did."

13 I'm not asking -- I want to be clear, I'm not asking  
14 the Court to take away his acceptance of responsibility based  
15 upon the severe mitigation that we have heard here in Court  
16 today, because we have agreed to that in our plea agreement and  
17 I'm going to stand by those three points, given that even with  
18 the three points, the guideline range is 360 to life, but I  
19 think it is extremely informative when considering where within  
20 the guideline range this man needs to be sentenced, under  
21 3553(a) factors of the character and the history of this  
22 defendant, what sentence he needs to receive.

23 He needs to receive a sentence that tells him what he  
24 did to these victims -- because we haven't heard that from him  
25 today, it's what happened, the behavior that occurred, the

1 conduct that occurred.

2 With respect to the motion for downward departure in  
3 5H1.3, it is in fact an appropriate grounds for departure in  
4 some situations; however, what the defendant doesn't talk about  
5 is that it's appropriate when the mental and emotional  
6 conditions are present to such an unusual degree that it  
7 distinguishes the defendant from the typical case, an unusual  
8 degree.

9 So first, Your Honor, I'd submit in order to  
10 downwardly depart based upon 5H1.3 we'd first have to find that  
11 there was in fact actually abuse; secondly, we'd have to find  
12 that this abuse was so extraordinary that it distinguishes  
13 Mr. Williams from the typical cases; and there is some case  
14 law, Your Honor, in the 5H1.3 sentencing guidelines annotations  
15 that -- they have cited some cases from several different  
16 circuits, one of which is also the Fourth, that gives us some  
17 guidance on what constitutes the unusual degree that is  
18 necessary for departure based upon mental and emotional  
19 conditions, and I have a couple of cases for Your Honor and for  
20 the defense, I'm sure Your Honor probably has already read  
21 them, the first of which is United States versus Rivera out of  
22 the Second Circuit, 1991, that's 192 F.3d 81; also quoting  
23 U.S. versus Vela, the defendant also quotes in his memorandum,  
24 927 F.2d 197, from the Fifth Circuit in 1991; and Vela quotes  
25 U.S. versus Daly, which is a Fourth Circuit case from 1989,

1 883 F.2d 313. I have copies for both Your Honor and the  
2 defense if he would like those.

3 THE COURT: All right.

4 MS. COOLEY: I'd like to read for you part of *Rivera*.  
5 *Rivera* is very instructive. At page 86 in the text of *Rivera*,  
6 it's actually page 9 of 11 of the printout that Your Honor has,  
7 it talks about the conditions that *Rivera* claims he suffered  
8 that should warrant his downward departure under 5H1.3. He was  
9 born of familial rape, spent time in foster homes, stepfather  
10 was killed when he was eight, he also reported being beaten  
11 a lot and having his hands burned, being made to kneel on rice  
12 in the corner and being struck with extension cords.

13 The Second Circuit says that: These episodes of  
14 corporal punishment could conceivably rise to a showing of  
15 abuse, but Mr. *Rivera* has failed to allege and show, as  
16 required for a 5H1.3 departure, that any abuse he may have  
17 suffered rose to the extraordinary level that can be assumed to  
18 cause mental or emotional pathology. We decline to set a  
19 standard for determining when that level is reached.

20 However, they cite a case, *Roe*, which the defendant  
21 also cites in his memorandum, finding that the tragic  
22 circumstances of the defendant's upbringing were extraordinary,  
23 but in that case, Your Honor, again, what distinguished from  
24 this one, in *Roe* the defendant there lived with her  
25 drug-addicted mother and her mother's boyfriend, who was a

1 narcotics dealer, for much of her childhood; where the mother's  
2 boyfriend routinely raped and sodomized her, savagely beat her,  
3 sometimes as often as once a day, with belts, extensions cords  
4 and coat hangers, and subjected her to other perverse  
5 degradations; where, after running away from home at age 12,  
6 she had been forced to work as a prostitute and brutally beaten  
7 by a series of pimps, customers and boyfriends; and one  
8 psychiatrist noted that her abuses was so severe that she had  
9 become virtually a mindless puppet.

10 In that situation, Your Honor, they held that it was  
11 appropriate for downward departure. We have nowhere near that  
12 here. In fact, *Rivera* goes on to quote that the defendant  
13 there maintains that his abuse was significant and a mitigating  
14 factor to his subsequent behavior and poor exercise of  
15 judgment, which I would contend is exactly what the defense is  
16 saying here, but as much could be said of every criminal  
17 defendant who has suffered abuse as a child or corporal  
18 punishment at the hands of parents.

19 Switching now, Your Honor, to -- at that point in  
20 time *Rivera* actually quotes the *Vela* case, and the *Vela* case  
21 quotes the *Daly* case out of the Fourth Circuit, but the *Vela*  
22 case -- I'm on page 5 of 8, and this is at page 198 -- I'm  
23 sorry, 199, talking about *Vela*, it talks about the heartland of  
24 every crime and that the sentencing guidelines -- in  
25 determining whether it falls within the heartland or outside,

1 the sentencing Court should, quote, treat each guideline as  
2 carving out a heartland, a set of typical cases embodying the  
3 conduct that each guideline describes. When a Court finds an  
4 atypical case, one to which a particular guideline  
5 linguistically applies but where conduct significantly differs  
6 from the norm, the Court may consider whether a departure is  
7 warranted.

8           They go on to quote a Fourth Circuit case in saying  
9 that "Childhood abuse and neglect are often present in the  
10 lives of criminals. They always affect their mental and  
11 emotional condition. We simply cannot agree, therefore, that  
12 these are the kinds of considerations which warrant substantial  
13 reductions in guideline sentences."

14           I would submit to the Court that there is ample  
15 support for the fact that while 5H1.1 can be a ground for  
16 departure, it requires a severe situation such as cited from  
17 *Roe* in the *Rivera* case in the type of defendant who should  
18 warrant that downward departure.

19           In order to even get there to that analysis,  
20 Your Honor, I would submit that we have to believe that this  
21 abuse occurred. I spent a lot of my career being an advocate  
22 for victims of child abuse, both at the State level and at  
23 Federal level. I have interviewed victims who are very young,  
24 I have worked with victims who are very young, seen a lot of  
25 different sex offenders, and what I can tell Your Honor is that

1 warning bells go off when we try to say that now 30 years later  
2 a child remembers something from when they were three or four.  
3 I'm not saying it's impossible, I'm saying it is a warning bell  
4 and should be considered in combination with the other factors  
5 lending themselves to the credibility of that evidence, and  
6 Your Honor heard the testimony so you can judge that  
7 credibility.

8 I would submit to Your Honor that it was not  
9 mentioned to Probation at paragraph 30, paragraph 33. I would  
10 submit that the timing of these accusations is critical to  
11 judging their credibility. Even if the Court were to find them  
12 credible, I do not believe and I would argue that the necessary  
13 conditions to depart downwardly based on mental and emotional  
14 conditions considering the case law are not present, that it is  
15 not present to an unusual degree, and that this does not fall  
16 outside the heartland for this type of case. In fact, we  
17 routinely see sex offenders who have been abused as children  
18 who then go on to offend. It is in fact unfortunately the  
19 heartland of those cases that that is a factor of these  
20 defendants and that is not outside that realm.

21 The defendant mentions in passing a possible  
22 4248 proceeding and that somehow we should take that into  
23 consideration at sentencing because if we do not give him a  
24 life sentence, then we could potentially later on cure that if  
25 we find him to be a sexually dangerous person in a

1 4248 proceeding. We would ask the Court not to consider that  
2 factor in sentencing. It's a factor in a civil proceeding for  
3 a later consideration should we ever get to that point with  
4 this defendant, and I do not believe that it warrants  
5 consideration in this proceeding here today.

6 I'm obligated to inform the Court of the defendant's  
7 cooperation, given that he signed a cooperation plea agreement.  
8 He was debriefed by Detective Rose and an FBI Agent, James  
9 Koehler. He did not provide any information that led to the  
10 investigation, arrest or prosecution of any individuals, and  
11 the United States is not seeking a 5K as a result. He did  
12 provide some information in a very vague manner such that a big  
13 light-skinned girl whose first and last name were unknown to  
14 him was working some sisters out of a certain area and that  
15 some girls in Raeford worked themselves, and also there might  
16 be a, quote, gay dude on Bragg Boulevard who was working some  
17 girls, nothing that would lead us to recommend a 5K.

18 I would note that the defendant's debrief, again  
19 significantly mitigated his own involvement, but again we're  
20 not moving to take away his acceptance of responsibility in  
21 this case, as we have agreed to the three point reduction.

22 As far as the Government's arguments for where  
23 Mr. Williams should be sentenced in the guideline range, I  
24 would submit to the Court that while there is not a need to  
25 consider an upward departure given that the upward limit here

1 is life, that some of the factors that could have been  
2 considered should the guidelines have proven not to have been  
3 life are instructive in determining where within the guideline  
4 range we should sentence Mr. Williams based upon the 3553(a)  
5 factors, the nature and circumstances of this offense.

6           One such factor that could be considered or facts  
7 that would support it should we have had to move for an upward  
8 departure are those for extreme psychological injury under  
9 5K2.3. With respect to Victim 1, Your Honor, she's still in a  
10 locked treatment facility. She has been there since this  
11 incident. It's a stepdown facility where she receives  
12 intensive, intensive treatment with other victims of sexual  
13 abuse and has to earn her way to different levels of lockdown.  
14 I'm happy to report that she is finally no longer in 24 hour  
15 lockdown, but it's been a long road and it's been a long time  
16 since she was rescued. It's been almost a year. She has  
17 severe PTSD and sleep disorders. This has affected her  
18 tremendously. When they first rescued her, she was found to  
19 have been physically, sexually and emotionally abused by this  
20 defendant right off the bat, and only as the disclosures have  
21 continued to come in her treatment have they discovered how  
22 deeply he has hurt her. Extreme psychological injury.

23           5K2.8, extreme conduct, gratuitous infliction of  
24 injury and prolonged pain or humiliation. These sexually  
25 explicit images of the victims were placed on the internet on

1 multiple commercial sites over the course of months, many, many  
2 postings. These girls, while barely meeting the requirements  
3 for these websites to not take them down because there was a  
4 G-string present, there is more than enough that is not left to  
5 the imagination by the images that were all over the internet  
6 of these girls. Those images they can't take back. All of the  
7 people in their communities could see them. In fact, they had  
8 so many clients, as even the victims call them, that Victim 1  
9 doesn't want to go back there because she's afraid to run into  
10 them in the grocery store when she's with her family. That's  
11 extreme conduct.

12           They were forced to have sex and perform sex acts on  
13 countless johns, countless. They couldn't even tell us how  
14 many. That is extreme conduct. He tattooed Victim 1 in four  
15 places because she didn't look old enough, and when he wanted  
16 to put her on the website, she didn't look old enough, so he  
17 had to tattoo her. He kept her in the attic. I asked John  
18 Williams how did he get up in the attic. He's 5'10". He  
19 couldn't even get himself in the attic. She was put in the  
20 attic. That is extreme conduct.

21           The overtones of the defendant's arguments here at  
22 sentencing today is that this was Victim 1's fault, that she  
23 was happy, that she wanted it, that she went along with it,  
24 that there's really no problem here but for the fact that,  
25 whoops, she was underage. This is a tragedy on a community

1 level that not one person stopped this. What we have seen  
2 today should not be taken by the Court as because she was happy  
3 when these, however many, five people testified that when they  
4 saw her she seemed happy, we should not take away that that  
5 means that she was not abused, because that is not what that  
6 means. As Your Honor well knows from hearing many of these  
7 cases, there is so much more underlying the physical, emotional  
8 and mental abuse that is going on in those cases, what we  
9 should take away is that willful blindness allowed that to go  
10 on for many, many more months than it had to.

11 The reality is that he is the one who had the  
12 accounts, who controlled the multiple postings, he is the one  
13 who had to make at least \$600 a month to pay the rent, told her  
14 that she had to work. How did she have to work? By being  
15 posted online, by having sex with men. He had a \$1,000 dog.  
16 How did he pay for the dog? She had to work. He didn't have a  
17 job. And yes, he did work at Cheddar's for a little bit when  
18 he was living in his mother's house, but as Your Honor can see  
19 from the PSR, not when he was in that apartment paying that  
20 rent. He forced them to have sex with these men while he was  
21 in the room next door. It was calculated. He is the predator.  
22 He was 33 and they were 14 and 15, and you cannot tell me that  
23 no one knew the difference.

24 He recorded and photographed them many, many times,  
25 92 confirmed images of sexually explicit positions, at his

1 direction. These are things that he was directing, this is not  
2 something that they wanted. Detective Smith testified to his  
3 words on those videos, and Your Honor can view the videos if  
4 you need to, but his direction, he was directing the traffic.

5 He beat them and he threatened them. Victim 2, when  
6 she came forward, said that she didn't really care about  
7 herself but was worried about Victim 1 because he was beating  
8 her. She realized she had credibility issues. The reality is  
9 that these victims are not victims who have never been through  
10 something in their life, but she was worried about Victim 1  
11 because he beat her and threatened her. He kept the victim in  
12 the attic. He tattooed her to make her more marketable. This  
13 is his fault; let us not make it theirs.

14 Yes, Victim 1 referred in her victim impact statement  
15 to him as her boyfriend. She talked about how she was upset  
16 when he was with another woman. That is why 1591 and the  
17 provision we have charged here is based upon age. She's been  
18 abused, she's been mistreated, she's been thrown away, her  
19 world view is skewed and she is troubled and she does not speak  
20 for herself, but I speak for her, and it is not okay.

21 The only way to deter this man from doing it again is  
22 to keep him in prison for a long, long time. The only way to  
23 protect the public and the other girls from this happening ever  
24 again is to keep him in prison for a long, long time. There's  
25 evidence that he has trafficked other girls before. There were

1 other unknown images on his phone that we were unable to  
2 determine who they were. Victim 1 said that at the first  
3 apartment there was another girl there being worked as well.

4 I think that the victim impact speaks for itself. I  
5 think it's evident in their statements that they are troubled.  
6 I think that it is evident in their statements that they are  
7 deeply affected by what he has done to them.

8 Your Honor, we ask you to consider everything that  
9 the Government has put forth today with regard to the 3553(a)  
10 factors in fashioning a sentence that is sufficient but not  
11 greater than necessary to protect the public, to deter this  
12 man, to keep him from ever doing it again. We ask you to  
13 specifically decline to downwardly depart based on 5H1.3, and  
14 find that the defendant's evidence lacks credibility and does  
15 not rise to the level of an unusual degree in order to warrant  
16 that departure. We ask that you stop the abuse forever today  
17 and we ask that you give him a life sentence.

18 Thank you, Your Honor.

19 THE COURT: Mr. Beaver? Anything else, Mr. Beaver?

20 MR. BEAVER: Your Honor, the only thing I would point  
21 out is that the cases under 5H1.3 referred to by the prosecutor  
22 in this matter were 1991 cases and 5H1.3 was completely  
23 rewritten effective November 1 of 2010 to wipe out any  
24 requirement of extraordinary -- a showing of extraordinary  
25 abuse or extraordinary mental health problems in order to vary.

1 It's a much lower standard than it was in 1991.

2 THE COURT: Thank you.

3 MS. COOLEY: Your Honor, if I may just briefly  
4 respond to that.

5 THE COURT: Yes.

6 MS. COOLEY: The amendment here, and if Your Honor  
7 looks at the annotated version, which I can hand up if you  
8 would like for me to, 5H1.3 the only change is that it deleted  
9 the language that says mental and emotional health conditions  
10 were, quote, not ordinarily relevant, and changed that to,  
11 quote, may be relevant. That was the amendment.

12 THE COURT: Let's take a recess until 4:30.

13 - - - - -

14 (Recess at 4:19 p.m. until 4:33 p.m.)

15 - - - - -

16 MR. BEAVER: Your Honor, may I make one further  
17 request that I had not mentioned before? One of the things in  
18 the sentence on this matter, we truly want him to be in a place  
19 that he can get the best psychological treatment, and from what  
20 I've been able to read about the prison system, and it's  
21 convenient, for my convenience also, if Your Honor could  
22 recommend that he be incarcerated at Butner, we would very much  
23 appreciate that.

24 THE COURT: All right. Mr. Williams, the Court  
25 recognizes its obligation to impose a sentence sufficient but

1 not greater than necessary to comply with the purposes set  
2 forth in the statute. I have considered all the arguments that  
3 Mr. Beaver has made, I have considered your statements, sir, I  
4 have considered the evidence that's been presented here today,  
5 I have considered the position of the United States. I have  
6 considered the advisory guideline range. Among other things  
7 I've considered the nature and circumstances of the offense and  
8 the history and characteristics of the defendant, the need for  
9 the sentence imposed to reflect the seriousness of the offense,  
10 to promote respect for the law and to provide just punishment,  
11 the need for the sentence imposed to deter others who might  
12 choose to engage in the criminal behavior that brings you here,  
13 the need for the sentence imposed to protect the public from  
14 further crime by you, the need for the sentence imposed to  
15 provide you with needed education or vocational training,  
16 medical care or other correctional treatment in the most  
17 effective manner. The statute raises a number of other  
18 factors, I have considered all of them, although I won't  
19 mention each one individually.

20 As for the traditional departure motion under 5H1.3,  
21 5H1.3 states that, quote, mental and emotional conditions may  
22 be relevant in determining whether a departure is warranted, if  
23 such conditions, individually or in combination with other  
24 offender characteristics, are present to an unusual degree and  
25 distinguish the case from the typical cases covered by the

1 guidelines. In certain cases a downward departure may be  
2 appropriate to accomplish a specific treatment purpose. Mental  
3 and emotional conditions may be relevant in determining the  
4 conditions of probation or supervised release; e.g.,  
5 participation in a mental health program; all again quoting  
6 5H1.3.

7 I recognize my discretion under that provision. I  
8 have read the cases under that, not only the cases that the  
9 lawyers have cited here but more cases than that. I recognize  
10 my discretion. I have taken into account, I do credit, I do  
11 think you -- I found the presentation concerning you having  
12 been abused as a child -- I think that that happened, but I  
13 don't think that it warrants a departure in this case, I think  
14 in my discretion that this is not outside the heartland, and so  
15 I'm not going to downwardly depart on that basis with respect  
16 to your offender characteristics associated with mental and  
17 emotional conditions.

18 As for the 3553(a) factors, the first thing I'm to  
19 consider is the nature and circumstances of the offense, and I  
20 sentence a lot of people, I see a lot of cases, and this case  
21 involves extraordinarily retched behavior of one human being  
22 towards not just another human being but towards two other  
23 human beings who were both children in the eyes of the law, a  
24 14-year-old and a 15-year-old. To treat someone that way, a  
25 real human being, however troubled their childhood, is just

1 really horrible. Again, I see, sadly, man's inhumanity to man  
2 on a daily basis in here, and this is extraordinarily egregious  
3 conduct both in terms of how you treated them and then the  
4 trafficking of them, the videotapes, the photographs, the  
5 posting things on the internet.

6 Things that go up on the internet, somebody's image  
7 goes up, it's there forever. A child who is abused, it never  
8 comes out, it never comes off, it's out there forever, and it's  
9 a constant reality for any victim of abuse to know that, right,  
10 that the abuse is bad enough, and then if it's memorialized  
11 forever on the internet, that's an aggravating factor, and then  
12 here there were, you know, multiple images.

13 So when I look at that and I think about the offense  
14 behavior, I also don't have a situation where it's a one time  
15 incident, as bad as that might be, I mean, it is day after day,  
16 week after week, we're talking particularly as to Victim 1,  
17 month after month of sexual abuse and sex trafficking for  
18 money, prostituting a child, prostituting a child. It's  
19 horrible. Words really escape me to describe that reality.

20 As for your history and characteristics, I have taken  
21 into account, I've read all the letters, and you're fortunate,  
22 it's a testament to the people who are here in support of you  
23 to their character more so than yours, I'll say that. You're  
24 fortunate that they are still supportive of you and will be  
25 supportive of you wherever you are; and you obviously know

1 you're going to prison and need to go to prison and will go to  
2 prison, but you're fortunate in that respect to have friends  
3 and family who are still supportive of you notwithstanding the  
4 choices that you made.

5           Again, I recognize the arguments made about cycle of  
6 abuse, and that quite often certainly in the literature and in  
7 my own anecdotal experience you do have people who have been  
8 abused become abusers, but it cuts a couple ways in the sense  
9 of what does society do with somebody who has been abused and  
10 then becomes an abuser and is a violent abuser in terms of  
11 incapacitating that person and protecting the public and taking  
12 into account the sheer horror of the behavior, and I have to do  
13 all that in weighing all of these arguments that have been made  
14 today, and I will do that in the sentence that I'm going to  
15 announce today.

16           You do have some work history, I have read the  
17 report, you do have, you know, some criminal history, I've  
18 taken that into account. You do have a substance abuse problem  
19 that Mr. Beaver mentioned, I've taken that into account. You  
20 have earned your GED, you have attended different schools.  
21 I've taken the totality of your life into account, as I am to  
22 do, and Mr. Beaver quoted a leading Supreme Court case about  
23 that and I recognize and take seriously that obligation to take  
24 into account the individual and the offense and the whole  
25 history and the totality. I will impose a sentence that

1 provides just punishment.

2 I will say, although neither side cited it, the  
3 Eighth Circuit at least in a case called U.S. v Jeffries,  
4 615 F.3d 909, at pages 9, 11 and 12, Eighth Circuit 2010,  
5 addressed the topic about how a Court, if at all, should  
6 consider the Adam Walsh Act in 18 U.S.C. Section 4248 in  
7 imposing a sentence in a case that involves a sex offender, and  
8 at least in *Jeffries* the Court said that a District Court  
9 shouldn't use that, it's a completely separate proceeding, in  
10 terms of the 3553(a) factors, both in terms of imposing just  
11 punishment and taking into account the nature of the offense  
12 and the need to incapacitate.

13 So I do think *Jeffries* is persuasive in terms of  
14 somehow thinking, well, if somebody is subject to this being  
15 reviewed -- and every Federal offender is subject to review,  
16 every one. You can be a felon in possession, they're going to  
17 review your file and determine whatever a psychologist  
18 determines and a panel determines you ought to be designated,  
19 and then there's a separate proceeding, so I don't think that  
20 that is, as the *Jeffries* court describes, something that I  
21 should take into account in balancing the 3553(a) factors.

22 I do think there is a need for serious punishment for  
23 the serious offense behavior that took place over a long period  
24 of time. I don't doubt for a minute that the people, Victim 1  
25 and Victim 2, are severely mentally affected and physically

1 affected by the abuse and will be forever, and I think any  
2 child is who is abused, and I've taken that into account,  
3 again, in thinking about the offense.

4 I do think there's a great need to incapacitate. I'm  
5 not going to go as high as the Government asks for, but I'm  
6 going to impose a substantial sentence, it's a sentence I think  
7 that is sufficient but not greater than necessary on each of  
8 these counts.

9 Because of the extraordinarily egregious conduct, the  
10 need to incapacitate, the need to impose just punishment, the  
11 need to protect the public, having fully considered the entire  
12 record in this case, pursuant to the Sentencing Reform Act of  
13 1984 and in accordance with the Supreme Court's decision in  
14 United States v Booker and its progeny, it is the judgment of  
15 the Court that the Defendant Christopher Jason Williams is  
16 hereby committed to the custody of the Bureau of Prisons to be  
17 imprisoned for a term of 540 months on each count, to be served  
18 concurrently. Pursuant to the plea agreement, Counts 3 through  
19 10 are hereby released.

20 Upon release from imprisonment, the defendant shall  
21 be placed on supervised release for a term of life. Within  
22 72 hours of release from the Bureau of Prisons the defendant  
23 shall report in person to the probation office in the district  
24 to which he's released. While on supervised release the  
25 defendant shall not commit another Federal, State or local

1 crime and shall not illegally possess a controlled substance.  
2 The defendant shall comply with the standard conditions and the  
3 following additional conditions: He'll participate in a  
4 narcotic treatment program, he'll consent to a warrantless  
5 search, he'll cooperate in the collection of DNA, he'll have no  
6 contact directly or indirectly at any time for any reason with  
7 either of the victims or the victims' families.

8           You shall submit to a psychosexual evaluation by a  
9 qualified mental health professional. You shall participate in  
10 a sex offender treatment program as directed by Probation. You  
11 shall submit to physiological testing, which can include  
12 polygraph examinations, to monitor your compliance. Your  
13 residence and employment shall be approved by the U.S.  
14 probation officer. Any proposed change in residence or  
15 employment must be approved by Probation at least ten days  
16 before the change. You shall comply with the requirements of  
17 the Sex Offender Registration and Notification Act as directed  
18 by Probation. You shall not associate with persons under the  
19 age of 18 except in the presence of parents or their legal  
20 guardians. This condition, however, does not mean you cannot  
21 deal in the ordinary course with commercial services, servers,  
22 cashiers, ticket venders, et cetera, with whom you might  
23 interact.

24           You shall not purchase, use, possess, procure or  
25 otherwise obtain any computer or electronic device that can be

1 linked to any computer network, bulletin board, internet,  
2 internet service provider, exchange format involving computers  
3 unless approved by Probation. I think that condition is  
4 appropriate in light of the child pornography issues in this  
5 case.

6           You shall submit to unannounced searches of any  
7 computer or computer equipment, including any mobile phone, in  
8 the discretion of the United States Probation Office, which may  
9 include the use of computer monitoring technology, computer  
10 search or analysis software, copying of all data from the  
11 device and external peripherals. Such examinations may require  
12 the removal of devices from the defendant's possession for  
13 purposes of conducting an inspection.

14           At the direction of Probation you shall consent to  
15 the installation of systems or software that will allow  
16 Probation to monitor any computers that you have access to, and  
17 you shall pay the costs of such monitoring. You shall not use,  
18 possess or control any computer-based counterforensic tools.  
19 You shall not have installed any programs specifically and  
20 solely designed to encrypt data. You shall upon request  
21 immediately provide Probation with any and all passwords  
22 required to access data composed or encrypted in connection  
23 with any devices you may possess.

24           You should not be employed in any position or  
25 volunteer in connection with children under the age of 18

1 absent the express written approval of your probation officer.  
2 You shall not be in any position of trust over a person under  
3 the age of 18.

4           You'll pay a special assessment of \$200.

5           I have imposed this sentence having fully considered  
6 all the 3553(a) factors. I think I've properly calculated the  
7 advisory guideline range. Nonetheless, to the extent that I  
8 haven't, I announce as an alternative variance sentence that I  
9 would impose this same sentence having fully considered all  
10 3553(a) factors under U.S. v. Hargrove, Fourth Circuit 2012,  
11 U.S. v. Savillon-Matute, Fourth Circuit 2011, U.S. v. Keene,  
12 Eleventh Circuit 2006.

13           I do recommend mental health assessment and  
14 treatment. I do recommend sex offender treatment. I do  
15 recommend intensive substance abuse treatment. I recommend  
16 vocational and educational opportunities. I recommend  
17 FCI Butner in accordance with the defendant's request.

18           Mr. Williams, you can appeal your conviction if you  
19 believe that your guilty plea was somehow unlawful or  
20 involuntary or if there's some other fundamental defect in the  
21 proceeding that was not waived by your guilty plea. You also  
22 have a statutory right to appeal your sentence under certain  
23 circumstances, particularly if you think the sentence is  
24 contrary to law. However, you did enter into a plea agreement  
25 which contains an appellate waiver. In light of your sentence,

1 I believe you've waived your right to appeal your sentence. If  
2 you believe the waiver is unenforceable or inapplicable, you  
3 can present that theory to the Appellate Court. With few  
4 exceptions any notice of appeal must be filed within 14 days of  
5 the judgment being entered on the docket in your case. If  
6 you're unable to pay the cost of an appeal, you may appeal for  
7 leave to file in forma pauperis. If you so request, the clerk  
8 will prepare and file a notice of appeal on your behalf.

9 Mr. Beaver, I think I made all the recommendations  
10 you asked for. Is there anything else today in Mr. Williams'  
11 case?

12 MR. BEAVER: No, Your Honor.

13 THE COURT: Anything else from the Government?

14 MS. COOLEY: No, Your Honor.

15 THE COURT: I thank counsel. That will conclude the  
16 matter involving Mr. Williams.

17 Good luck to you, sir.

18 The Court will be in recess until 9:00 a.m.

19 - - - - -

20 (Proceedings concluded at 4:54 p.m.)

21 - - - - -

## C E R T I F I C A T E

This is to certify that the foregoing transcript of proceedings taken in a sentencing hearing in the United States District Court is a true and accurate transcript of the proceedings taken by me in machine shorthand and transcribed by computer under my supervision, this the 24th day of January, 2014.

/S/ DAVID J. COLLIER

DAVID J. COLLIER  
OFFICIAL COURT REPORTER